DOCUMENT FILE

NOTE

SEE 867n.01/861 FOR #846

FROM Iraq (Satterthewait) DATED August 6,1937

TO NAME

1—1127 GPO

REGARDING: Saadabad Pact.
Statement by Dr. Naji al-Asil, Foreign Minister, that at Teheran the Four Powers signatory to the -- had agreed to support the Arab position in Palestine.

lec

767.90G 12 NON-AGGRESSION/ 49

TELEGRAM RECEIVED

DIVISION OF EUROPEAN AFFAIRS
AUG 26 1937
DEPARTMENT OF STATE

JR 1—1236

FROM GRAY

Teheran

Dated August 25, 1937

Rec'd 12:04 p.m.

DEPARTMENT OF STATE
AUG 25 1937
DIVISION OF NEAR EASTERN AFFAIRS

Secretary of State,

Washington.

72, August 25, 1 p.m.

Your 36, August 5, 6 p.m.

711.00 Statement July 16, 1937/140

I received today through the Afghan Embassy the following telegram signed by the Afghan Foreign Minister.

"I greatly appreciate the telegram of congratulations of His Excellency, the American Secretary of State, on the occasion of the signing of the Saadabad Pact and I thank His Excellency exceedingly for his friendly feelings"

ENGERT

WWC:HPD

767.90G/12 NON-AGGRESSION/50

FILED
AUG 27 1937

767.90 G 12 Non-aggression

DOCUMENT FILE

NOTE

SEE 711.00 Statement July 16, 1937/151 FOR #315

FROM Turkey (Washington) DATED July 31, 1937

NAME

tb

1—1127

REGARDING:

Copies of two addresses delivered by the Minister for Foreign Affairs at Teheran and Moscow, explaining the attitude of the Turkish Government toward the principles featured in Secretary Hulls' Statement of July 16, 1937.

ML

767.90 G 12 NON-AGGRESSION/51

LEGATION OF THE
UNITED STATES OF AMERICA
Baghdad, Iraq, August 5, 1937.

NE
A-M/C
ED
TD

No. 845 - Diplomatic

Subject: The Near Eastern Non-Aggression Pact of Saadabad and other Treaties between Iraq and Iran.

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767.90g12 Non-aggression

DEPARTMENT OF STATE
SEP 3 - 1937
DIVISION OF NEAR EASTERN AFFAIRS

767.90g/12 Non-aggression

The Honorable

The Secretary of State,

Washington, D.C.

Sir:

In its despatch No. 822 of July 8, 1937, the Legation had the honor to report to the Department that the Foreign Minister, Dr. Naji al-Asil, and a group of Foreign Office functionaries had left for Teheran, where it was his intention, in company with the Foreign Ministers of Afghanistan, Iran and Turkey, to sign the Near Eastern Pact, following the signature of the Frontier Treaty between Iraq and

Iran

767.90G 12 NON-AGGRESSION/52

790g.9115/104

Iran (my despatch No. 832 of July 22, 1937).

The signature of the Saadabad Non-Aggression Pact on July 8, has been fully reported by the Legation at Teheran. However, as of possible comparative value I enclose an English translation of the treaty as published in the "Iraq Times" on July 22.

Dr. Asil and his party returned to Baghdad on July 27 and were accorded an enthusiastic reception. In an informal visit I had with him on July 29, he expressed himself as exceptionally well pleased with the results of his visit to Teheran.

In addition to the frontier and Saadabad treaties, Dr. Asil also signed with Iran while in Teheran, according to a statement given to the press, a Treaty of Friendship on July 16 and an Arbitration Treaty on July 24. Dr. Asil has confirmed this to ~~to~~ me personally.

790g.9112

The text of the Treaty of Friendship was published in the local Arabic press on July 30. It provides for permanent peace and friendship between the peoples of the two countries and that the diplomatic and consular officials of the two states are to have all the rights and privileges enjoyed by the diplomatic and consular representatives of other friendly states on the most favored nation basis. It also provides for the conclusion of treaties or agreements as soon as possible dealing with bon voisinage, extradition, nationality and domicile, judicial cooperation, consular and commercial matters and posts and telegraphs.

790g.9111

I am taking steps to obtain from the Foreign Office the official text of the Treaty of Friendship and to

obtain

obtain that of the Treaty of Arbitration as soon as it is released.

Respectfully yours,

Joseph C. Satterthwaite
Chargé d'Affaires a.i.

Enclosure:

Translation of treaty.

File No. 710
JCS/jnc.

Copy to American Embassy, London,
" " " Legation, Teheran.

Enclosure to despatch No. 845 - Diplomatic -
of August 5, 1937, from American Legation at Baghdad,
Iraq.

Source: "Iraq Times"
July 22, 1937.

THE ASIATIC PACT

Treaty Between Iraq, Iran, Turkey and Afghanistan

The following is a translation (unofficial) of the Treaty of Non-Aggression which has just been signed in Teheran by representatives of Iraq, Iran, Turkey, and Afghanistan.

PREAMBLE

His Majesty the King of Iraq,

His Majesty the King of Afghanistan,

His Imperial Majesty the Shahinshah of Iran,

His Excellency the President of the Turkish Republic,

being desirous to contribute by all possible means to the maintenance of friendly relations and good understanding between them;

Animated by an intention to assure peace and security in the Near East by means of additional guarantees within the sphere of the Covenant of the League of Nations, thereby contributing to the general peace;

Being impressed by their undertaking by virtue of the Treaty for the Renunciation of War signed at Paris on August 27th, 1928, and the other treaties to which they are a party, which are all in harmony with the Covenant of the League of Nations and the Treaty for the Renunciation of War;

Have decided to conclude the present Treaty, and have for this object nominated:—

His Majesty the King of Iraq—

His Excellency Dr. Naji al-Asil, Minister for Foreign Affairs of Iraq.

His Majesty the King of Afghanistan—

His Excellency Faiz Mohammed Khan, Minister for Foreign Affairs of Afghanistan.

His Imperial Majesty the Shahinshah of Iran—

His Excellency Inattullah Samii, Minister for Foreign Affairs of Iran.

The President of the Turkish Republic—

His Excellency Dr. Tewfik Rustu Aras, Minister for Foreign Affairs of Turkey

who, having reciprocally communicated their full powers, in good and due form, have agreed to the following provisions:—

Article 1. The High Contracting Parties undertake to adopt a policy of absolute abstention from interference in each other's internal affairs.

Article 2. The High Contracting Parties expressly undertake to respect the inviolability of their common frontiers.

Article 3. The High Contracting Parties agree to consult each other in matters relating to conflicts of international character having regard to their common interests.

Article 4. Each of the High Contracting Parties undertakes vis-a-vis the other not to have recourse, in any case, whether alone or jointly with one or more third powers, to any act of aggression directed against any of the parties.

The following shall be considered acts of aggression:—

1. The declaration of war.
2. The invasion, by armed forces of a State, of the territory of another State, even without a declaration of war.
3. An attack by land, naval, or air forces of one State on the territory, vessels, or aircraft of another State, even without a declaration of war.
4. Direct or indirect support or assistance to the aggressor.

The following shall not constitute acts of aggression:—

1. The exercise of the right of legitimate defence—i.e., resisting any act of aggression as defined above.

2. Action taken in enforcement of Article 16 of the Covenant of the League of Nations.

3. Action taken in pursuance of a decision emanating from the Assembly or the Council of the League of Nations or in enforcement of Article 15, clause 7, of the Covenant of the League of Nations, provided that, in the last case, action is directed against the State which was the first to attack.

4. The assistance to a State subjected to attack, invasion, or recourse to war by one of the High Contracting Parties contrary to the provisions of the Treaty for the Renunciation of War signed at Paris on August 27th, 1928.

Article 5. If one of the High Contracting parties considers that a violation of Article 4 of the present Treaty has been or is on the point of being made, it shall immediately bring the matter to the Council of the League of Nations.

The above provision will not affect the right of this High Contracting Party to take all measures that are considered necessary in the circumstances.

Article 6. If one of the High Contracting Parties commence an act of aggression against a third Power, the other High Contracting Party can, without previous notice, denounce the present Treaty vis-a-vis the aggressor.

Article 7. Each of the High Contracting Parties undertakes to prevent, within its respective boundary, the formation or the action of armed troops, associations, or organisations for the overthrow of established institutions, to impair order or security in any part (frontier or other) of the territory of the other Party, or in order to injure the Governmental regime of the other Party.

Article 8. The High Contracting Parties having already recognised in the general Pact for the Renunciation of War of August 27th, 1928, that the settlement or the solution of all differences or conflicts, whatever their nature or origin, which may arise between them should be sought only through pacific means, confirm this provision and declare their adherence to the procedure laid or which will be laid down in this connection between the High Contracting Parties.

Article 9. None of the articles of the present Treaty can be considered as diminishing in any way the obligations assumed by each of the High Contracting Parties by virtue of the Covenant of the League of Nations.

Article 10. The present Treaty, drawn up in French, signed in four copies, of which the High Contracting Parties have each received one, is concluded for a period of five years.

At the expiry of this period, unless one of the High Contracting Parties notifies its denunciation by giving six months' notice, the Treaty shall be deemed to be renewed for a further period of five years, and so on up to the time when one or more of the High Contracting Parties notifies its denunciation by giving six months' notice. The Treaty denounced by

(Continued in next column.)

one of the parties shall remain in force between the others.

The present Treaty shall be ratified by each of the High Contracting Parties in accordance with its constitution and shall be registered in the League of Nations by the General Secretary, who shall be requested to advise the other members of the Leagne of it.

The instruments of ratification shall be deposited by each of the High Contracting Parties with the Iran Government.

As soon as the instruments of ratification are deposited by two High Contracting Parties, the present Treaty shall come into force between these two parties. It shall come into force with the third party when the latter shall deposit the instrument of ratification, and so on with the fourth.

Each deposit of instrument of ratification shall be notified immediately by the Government of Iran to all the signatories of the present Treaty.

Done at the Palace of Saadabad (Teheran) on July 8th, 1937.

(Sd.) Naji al-Asil.
(Sd.) Faiz Mohammed.
(Sd.) [illegible].
(Sd.) Dr. T.R. Aras.

DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

CEB
RPP
~~PAS~~
~~JBH~~
~~PM~~

Engert reports the Eastern Four-Power Pact, signed July 14, to be ~~based upon~~ mutual fear of the U.S.S.R. and apprehension as to the ultimate intentions of Germany and Italy and therefore to have had British blessing. Its consummation depended upon settlement of the various boundary disputes of the four parties.

The Pact provides that the parties shall:

1. Refrain from any interference in the internal affairs of the others,

2. Respect their common frontiers,

3. Consult "in all conflicts of an international character which affect their common interests."

4. Bring any violation or threatened violation before the League Council.

It defines aggression, using the definition incorporated in the Soviet Non-Agression Treaties, with an additional clause covering aid to an aggressor. It also defines acts which do not constitute agression: resistance, action taken under the League Covenant, and

aid to a party resisting agression by another party. It reaffirms the Kellogg Pact and the Covenant.

Upon conclusion of the Pact a "Council of the Oriental Entente", consisting of the four Foreign Ministers, was immediately set up.

Religion, ie. Pan-Islamism, is held to have played no part.

Iraq is reported to have thrown out feelers with a view to having Saudi Arabia and Egypt adhere to the Pact.

TC 4

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, July 14, 1937.

No. 1097.

Subject: Conclusion of the Eastern Four-Power Pact in Teheran.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
SEP 24 1937
DEPARTMENT OF STATE

DEPARTMENT OF STATE
SEP 18 1937
A-M-8
ASSISTANT SECRETARY OF STATE

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To Istanbul
9/20/37

DEPARTMENT OF STATE
SEP 3 - 1937
DIVISION OF NEAR EASTERN AFFAIRS

TREATY DIVISION
SEP 25 1937
noted C/B
DEPARTMENT OF STATE

767.90G 12 NON-AGGRESSION/53

The Honorable

The Secretary of State,

Washington, D. C.

767.90G 12 Non-Aggression/42

Sir:

Referring to the Legation's telegram No. 45 of July 9, 10 a.m. and to its despatch No. 1095 of July 10, 1937, I have the honor to report that on July 8, 1937, at 5 p.m., the Ministers of Foreign Affairs of Afghanistan, Iraq, Iran, and Turkey signed at the Shah's summer palace of Saadabad (or Shahvand) in Shimran, near Teheran, a pact which is to be officially known as the Treaty of Saadabad.

Although

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Although little publicity has been given to the antecedents of this pact and no mention was made in the newspapers of the imminence of its conclusion until Dr. Rushdi Aras, the Turkish Foreign Minister, had actually arrived in Teheran, it is possible to piece together, from conversations I have had with some of my colleagues and Iranian officials, certain phases of the background with a reasonable degree of accuracy.

It is said, among other things, that the Shah was impressed by the fact that in 1933 Soviet Russia had signed non-aggression pacts with most of her neighbors. When, therefore, in the following year the Shah paid an official visit to Ankara he is believed to have suggested to Mustapha Kemal the desirability of a non-aggression treaty between Iran, Turkey, and Iraq. The idea appears to have at once received the approval of the Turkish Minister of Foreign Affairs, Dr. Tevfik Rushdi Aras, who saw the advantage to Turk ey of being insured against surprises at her backdoors (Iran and Iraq) and thus being able to devote more attention to southeastern Europe, to Italian ambitions in the Mediterranean, and to the uncertain policy of Soviet Russia. Besides, the proposal of such an Eastern Pact fitted in with Turkey's ambition of fostering a growing sense of the community of interests among the nations of the Middle East and thereby eliminating all those foreign influences and restraints which (in their opinion) had in the past prevented closer understanding and cooperation between them.

Iraq, too, responded favorably - partly, it is said, because the proposal contained an implied assurance that Turkey had definitely given up all hope of retaking the

Mosul

Mosul oilfields, and partly because Baghdad was genuinely desirous of improving its political relations with Teheran in view of the already existing religious and economic bonds.

The draft of a non-aggression pact - similar in scope to the Balkan Pact - was initialed at Geneva on October 2, 1935, and a month later Afghanistan accepted an invitation to adhere to it. Ever since then reports that the treaty was about to be signed at one of the four capitals - Ankara and Baghdad were most frequently mentioned - have been current, only to be denied and declared as premature so often that certain circles were beginning to doubt whether it would ever materialize.

It was not until the many outstanding frontier and other disputes between Turkey and Iran, Iran and Afghanistan, and more especially Iran and Iraq had been definitely disposed of that the ground was cleared for the signing of the Four-Power Pact. And in recognition of the fact that the Iranian Government had laid the foundations for it Teheran was chosen as the meeting place for the consummation of this important event.

As will be seen from the text of the Treaty of Saadabad (Enclosures Nos. 1 and 2), the four signatories are "animated by the desire to assure peace and security in the Near East by means of additional guarantees within the framework of the Covenant of the League of Nations. . . . and aware of their obligations under the Treaty for the Renunciation of War signed at Paris on August 27, 1928". Each therefore promises solemnly to refrain from any interference in the internal affairs of the others, to respect the inviolability of their frontiers, and to consult with the others concerning all international disputes which affect their common interests.

(Articles

(Articles I, II and III).

They further undertake under no circumstances to have recourse to an act of aggression against one of the others, and they define what shall and what shall not be considered "acts of aggression". (Article IV). If this undertaking has been, or is about to be, violated the matter shall at once be referred to the Council of the League. (Article V).

In Article VII each party promises not to permit the formation within its territories of armed bands or other organizations aiming at disturbing public order or the government of the other signatories.

Articles VIII and IX reiterate, respectively, the intention of the contracting parties (already expressed in the Preamble) of adhering to the provisions of the Paris Pact for the Renunciation of War and their obligations under the League of Nations.

The present Treaty is to be valid for a period of five years and, unless denounced by one of the signatories six months prior to its expiration, for successive periods of five years. If denounced by one of the parties it shall, nevertheless, continue in force between the others. As soon as it has been ratified by two of the signatories it shall become effective as between them. (Article X).

It is of interest to note that the four original copies of this instrument are all drawn up in the French language. Incidentally, all speeches made at the official banquets were likewise in French, with the only exception of that of the Afghan Foreign Minister who spoke in Persian.

As soon as the treaty had been signed the Iranian Minister of Foreign Affairs, Enayatollah Samiy, addressed the

other

other Foreign Ministers (Enclosure No. 3) and in a few well-chosen words pointed out that it was a valuable contribution towards the maintenance of peace in Western Asia by providing for close collaboration, based on sincere friendship, in all international questions of interest to them.

The four Foreign Ministers also issued an official Communiqué (Enclosure No. 4) in which they informed the public of the signing of the Pact and explained that it was the result of the cordial relations existing between the four governments and would strengthen their fraternal collaboration and their will to maintain general peace. They added that during their conferences they had "found that there existed between the four States a perfect identity of views".

An immediate and significant - although entirely unexpected - sequel to the conclusion of the treaty was the formation on the same day of the "Council of the Oriental Entente". (Enclosures Nos. 5, 6 and 7). No such organization is mentioned in the Pact itself but according to a Communiqué signed on July 8, 1937 (not published until July 14) the four Foreign Ministers decided to organize themselves for the purpose of "deliberating upon the questions which touch on the common interests" of the signatory powers and of "coordinating their attitude". This Council will consist of the respective Ministers of Foreign Affairs and is to meet at least once a year, either at Geneva or at some other place agreed upon. The Council shall be presided over in turn by Afghanistan, Iran, Iraq, and Turkey (i.e. in alphabetical order), except that - by way of recognizing Iran's initiative in the negotiations - the Minister of Foreign Affairs of Iran is to

be

be the first chairman.

In a second Communiqué, apparently signed on the same day, the Council recorded its first decisions, namely to support Iran's candidacy to the seat on the Council of the League of Nations (now occupied by Turkey) when it becomes vacant next September, and to make every effort - after the expiration of Iran's term - to secure a seat on the Council of the League for each in turn of the other signatories of the Pact, again in alphabetical order. Furthermore, the members pledge themselves to support Turkey's re-eligibility to the Council of the League so as to obtain for it a semi-permanent seat in order to enable it to continue "its very useful activity". This, presumably, in recognition of the services rendered by Dr. Rushdi Aras in composing some of the differences which had separated the Middle Eastern powers.

500.C112

On the occasion of the signing of the Pact the Shah sent identical telegrams to the King of Afghanistan and Iraq and to the President of the Turkish Republic in which he congratulated them on the creation of the "Oriental Entente" and said: "By this event our countries, henceforth united by an unbreakable bond, will be in a position to place their cordial and fruitful collaboration at the service of peace".

All three replied, of course, in cordial terms and the telegram from Mustapha Kemal Ataturk contained the following striking passage: "I have the firm hope that this Pact, which is the result of our aspirations to achieve peace not only in our own countries but throughout the world, will be received by the entire world and by ourselves as a blessing from Heaven".

The Shah also bestowed the Order of Homayun (First Class) upon the three Foreign Ministers who had come to Teheran, and

upon

upon the Turkish Ambassador and the Iraqi Minister accredited to Iran. A number of minor decorations were conferred upon all members of the staffs of each delegation and of the respective Embassies and Legations.

Although the officially inspired local press is hardly a safe guide to Persian public opinion it cannot be entirely ignored, and I have therefore collected excerpts from the more important newspapers which have carried articles about the new Eastern Pact.(Enclosures Nos. 8 to 15). They have all hailed it as a real contribution to peace in the present disordered state of the world.

In a world full of unscrupulous aggressive forces I personally feel that this new Entente based, as it seems to be, upon a true regard for the realities of the international situation - both in Europe and in the Far East - may well become a cornerstone in Middle Eastern politics. Whatever lurking doubts one may have regarding the practical efficacy of such a Pact under the strain of a great emergency, it is quite obvious that it was conceived in a distinctly sober and realistic appreciation of the fact that some happy and courageous initiative was required in order to break the ice which had for so many centuries immobilized the moral and material forces of Western Asia.

The Department is, of course, aware that the whole continent of Asia has for some years past been absorbed in a process of regeneration, and that the present passion for Nationalism - due, oddly enough, to the inculcation of foreign ideas - has had for its principal motive the desire to purge itself of the "White Man's" taint! To what extent this thought, either consciously or unconsciously, has influenced

the

the leaders who have made the Treaty of Saadabad possible it would be difficult to say. There has, for example, been almost open exultation over the fact that this treaty is practically the first one the four nations have signed since they became <u>really</u> independent! And none of them would probably deny that fear of Soviet Russia and nervousness regarding the ultimate aims of Italy and Germany played an important part. It is for this reason that Great Britain is reliably reported to have given its blessings to the Pact from the very start.

All four parties will, of course, have to tread delicately if they intend to avoid the thorny hedges of political and psychological questions which surround them. At a time when it is fashionable to predict the doom of empires and civilizations they realize that a lone hand is becoming ever more difficult to play. But there is still ample scope for those who want to make mischief. Apart from the question of temperament which, it is now recognized, plays such an important part in the exchange of ideas between nations, what is needed most is not so much astute statesmanship as honesty and sound common sense. And in order that countries like Iran or Turkey or Afghanistan may be in a position to give undertakings in which confidence can be placed they must learn to develop the necessary continuity of policy, a policy constructive and progressive in home affairs and frank and conciliatory in foreign relations. To that end public opinion must be formed by education and by experience. Only when a body of even relatively strong and enlightened public opinion in all four countries has learned to put aside fears and suspicions will the governments find it possible to abandon

<u>completely</u>

completely the idea that the use of force may, after all, be a possible remedy for their differences.

That there still remains a long list of such unadjusted differences and difficulties throughout the Near and Middle East even the most sanguine will admit. The smoldering embers of distrust, animosities, and recriminations can nearly always be easily fanned into life in a part of the world where heterogeneous and illiterate peoples are separated by geographical obstacles and hereditary prejudices. To overcome differences of race and language and to convince populations thinly spread over immense areas that they have an identity of interests and should work together will not be easy.

And yet, a Middle Eastern Bloc of nations is bound to have a certain natural solidarity because their present general civilization has its roots in the same past and in the same, or at least very similar, traditions. Besides, one is constantly tempted also to refer to their common religion and there can hardly be any doubt that Islam still has a strong hold on the masses and that, in a general way, the affinity of religion may have a harmonizing effect. But when it is remembered that Turkey and Afghanistan belong to the Sunni branch of Islam, while Iran and Iraq are largely Shiah, it will be realized that the bond of religion between these four Mohamedan countries cannot be a very dependable one. In fact, it is very significant that no attempt appears to have been made to play upon the religious factor in setting up the entente. The old pipe-dream of a Pan-Islamic union - like the more recent Turkish Pan-Turanian doctrine - is receiving no encouragement from the progressive elements in the Mohamedan world.

Perhaps the most novel and hopeful sign in connection

with the signing of the Four-Power Pact is the idealistic element which seems to have entered into it and which the leaders, as well as the press, took great pains to emphasize. Without any startling diplomatic or military commitments four free and sovereign States, each conscious of its own individuality and vitality, form an association pledged to uphold the ideals of peace as set forth in the League Covenant and the Kellogg Pact, not only as an essential basis for their own security but also as an example - with probably the Buenos Aires Conference in mind - to the rest of the world. The ideals of mutual trust and self-respect and service, if only adhered to consistently and long enough, are bound to arouse among the leaders and peoples of Western Asia a quickened sense of responsibility whose moral and practical results may yet be far-reaching. Not one of the four signatories presumably desires to assume any unnecessary or dangerous liabilities. All profess that their Pact is not directed against any one in particular, and that while they do not propose to side with any other "blocs" they desire to maintain friendly relations with all. Whether Saudi Arabia and Egypt will, as some predict, later adhere to the Pact remains to be seen. Iraq is already understood to have thrown out feelers in that direction.

If the present regional understanding proves workable it may have a useful steadying effect upon a wide area. By emphasizing, as they already have, the advantages of closer economic relations and of subordinating political to economic considerations the four powers seem to indicate a realization that if real friendship between nations is to be achieved each must merge its individual aspirations into those of

humanity

humanity at large. To this extent, at least, the Treaty of Saadabad may help to uphold the sanctity of the pledged word and to promote international decency and good neighborliness.

Respectfully yours,

R. Van H. Engert

R. Van H. Engert,
Chargé d'Affaires a.i.

Enclosures:

1.- Clipping from the SETAREH'YE-DJEHANE, July 12,1937 entitled "Traité de Non Agression".

2.- Translation of Enclosure No. 1;

3.- Translation from LE MESSAGER DE TEHERAN, July 11, 1937, of a speech by the Iranian Foreign Minister;

4.- Translation from SETAREH'YE-DJEHANE, July 9, 1937;

5.- Clipping from LE JOURNAL DE TEHERAN, July 13,1937; entitled "Le Conseil de l'Entente Orientale".

6.- Translation from LE MESSAGER DE TEHERAN, July 14, 1937, entitled "The Council of the Oriental Entente";

7.- Translation from LE MESSAGER DE TEHERAN, July 14, 1937;

8.- Translation from IRAN, June 28, 1937, entitled "A Near Eastern Alliance";

9.- Translation from IRAN, July 2, 1937, entitled "The Non-Aggression Pact";

10.- Translation from ETTELA'AT, July 3, 1937, entitled "A Pact between Four Neighboring States";

11.- Translation from ETTELA'AT, July 4, 1937, entitled "The Quadrilateral Pact";

12.- Translation from ETTELA'AT, July 6, 1937, entitled "A New Epoch in the Near East";

13.- Translation from KUSHESH, July 6, 1937, entitled "The Quadrilateral Pact";

14.-

14.- Translation from ETTELA'AT, July 8, 1937, entitled "A Great Historic Date";

15.- Translation from ETTELA'AT, July 11, 1937, entitled "The Saadabad Pact".

File No. 710-Triplicate.

CVHE/PSC

Copy sent to American Legation, Baghdad.

Copy for American Embassy, Istanbul, attached.

TRAITÉ DE NON AGRESSION

PRÉAMBULE

Sa Majesté Impériale le Chahinchah de l'Iran,
Sa Majesté le Roi d'Afghanistan,
Sa Majesté le Roi d'Irak;
Le président de la République Turque,

Désireux de contribuer par tous les moyens en leur pouvoir au maintien des relations d'amitié et de bonne entente entre eux;

Animés du désir d'assurer la paix et la sécurité dans le Proche-Orient au moyen de garanties additionnelles dans le cadre du Pacte de la Société des Nations et de contribuer ainsi à la paix générale ;

Pénétrés de leurs obligations en vertu du Traité de renonciation à la guerre signé à Paris le 27 Août 1928 et des autres Traités auxquels ils sont parties, qui sont tous en harmonie avec le Pacte de la Société des Nations et le traité de renonciation à la guerre ;

Ont décidé de conclure le Présent Traité et ont, dans ce but, nommé :

Sa Majesté Impériale le Chahinchah de l'Iran:

Son Excellence Enayatollah Samiy, ministre des Affaires Etrangères ;

Sa Majesté le Roi d'Afghanistan :

Son Excellence Monsieur Feyze Mohammad Khan, ministre des Affaires Etrangères d'Afghanistan ;

Sa Majesté le Roi d'Irak :

Son Excellence Monsieur le Docteur Nadji-el-Asil, ministre des Affaires Etrangères d'Irak ;

Le Président de la République Turque :

Son Excellence Monsieur le Docteur Tevfik Rushtu Aras, ministre des Affaires Etrangères de Turquie ;

qui, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes.

ARTICLE I-er

Les Hautes Parties Contractantes s'engagent à poursuivre une politique d'abstention absolue de toute ingérence dans leurs affaires intérieures.

ARTICLE II

Les Hautes Parties Contractantes s'engagent expressément à respecter l'inviolabilité de leurs frontières communes.

ARTICLE III

Les Hautes Parties Contractantes conviennent de se consulter dans tous les conflits d'ordre international ayant trait à leurs intérêts communs.

ARTICLE IV

Chacune des Hautes Parties Contractantes s'engage vis-à-vis de l'Autre à ne recourir en aucun cas, soit isolément, soit conjointement avec une ou plusieurs Tierces Puissances à aucun acte d'agression dirigé contre l'une d'Elles.

Sont considérés comme acte d'agression :

1°— la déclaration de guerre ;

2°— l'invasion, par les forces armées d'un Etat, même sans déclaration de guerre, du territoire d'un autre Etat ;

ARTICLE V

Si l'une des Hautes Parties Contractantes estime qu'une violation de l'Article IV du présent Traité a été ou est sur le point d'être commise, elle portera immédiatement la question devant le Conseil de la Société des Nations. La disposition qui précède ne porte pas atteinte au droit de cette Haute Partie Contractante de prendre toutes mesures qu'elle juge nécessaires dans ces circonstances.

ARTICLE VI

Si l'une des Hautes Parties Contractantes se livre à une agression contre une tierce Puissance, l'autre Haute Partie Contractante pourra, sans préavis, dénoncer le présent Traité vis-à-vis de l'agresseur.

ARTICLE VII

Chacune des Hautes Parties Contractantes s'engage à prévenir, dans ses limites respectives, la formation ou l'action de bandes armées, associations ou organisations pour le renversement des institutions établies en vue de porter atteinte à l'ordre ou à la sécurité de toute partie, frontalière ou autre, du territoire de l'autre Partie ou en vue de porter atteinte au régime de Gouvernement de cette autre Partie.

ARTICLE VIII

Les Hautes Parties Contractantes ayant déjà reconnu dans le Pacte général de renonciation à la guerre du 27 Août 1928 que le Règlement ou la solution de tous les différends ou conflits, quel que soit leur nature ou leur origine, qui pourront surgir entre elles, ne devra jamais être recherché que par des moyens pacifiques, confirment cette disposition, et déclarent s'en référer aux procédures créées ou à créer à cet égard entre les Hautes Parties Contractantes.

ARTICLE IX

Aucun des Articles du présent Traité ne peut être considéré comme diminuant en quoi que ce soit les obligations assumées par chacune des Hautes Partiee Contractantes, en vertu du Pacte de la Société des Nations.

ARTICLE X

Le présent Traité rédigé en français, signé en quatre exemplaires. dont chacune des Hautes Parties Contractantes reconnait avoir reçu l'un, est conclu pour la durée de cinq années.

A l'expiration de ce délai, à moins qu'une des Hautes Parties Contractantes n'ait notifié sa dénonciation avec préavis de six mois, le Traité sera considéré comme renouvelé de plein droit pour une nouvelle période de cinq ans, d'époque en époque, jusqu'a ce qu'une ou plusieurs des Hautes Parties Contractantes, ait notifié sa dénonciation avec préavis de six mois. Le Traité, dénoncé avec l'une des Parties, continue à exister entre les autres.

Le présent Traité sera ratifié par chacune des Hautes Parties Contractantes conformément à sa Constitution et enregistré à la Société des Nations par le Secrétaire Général, qui sera prié d'en donner connaissance aux autres membres de la Société.

Les instruments de ratification seront déposés par chacune des Hautes Parties Contractantes auprès du Gouvernement iranien.

Aussitôt que les instruments de ratification auront été déposés par deux Hautes Parties Contractantes, le présent Traité entrera en vigueur entre ces deux Parties. Il entrera en vigueur avec la troisième quand celle-ci déposera l'instrument de ratification, et aussi avec la

ARTICLE IV

Chacune des Hautes Parties Contractantes s'engage vis-à-vis de l'Autre à ne recourir en aucun cas, soit isolément, soit coujointement avec une ou plusieurs Tierces Puissances à aucun acte d'agression dirigé contre l'une d'Elles.

Sont considérés comme acte d'agression :

1o— la déclaration de guerre ;

2o— l'invasion, par les forces armées d'un Etat, même sans déclaration de guerre, du territoire d'un autre Etat ;

3o— l'attaque, par les forces terrestres, navales ou aériennes d'un Etat, même sans déclaration de guerre, du territoire, des navires ou des aéronefs d'un autre Etat;

4o— l'aide ou assistance, soit directe, soit indirecte, à l'agresseur.

Ne constituent pas des actes d'agression :

1o— l'exercice du droit de légitime défense, c'est-à-dire la résistance à un acte d'agression tel qu'il est défini ci-dessus ;

2o— l'acte ou application de l'Article XVI du Pacte de la Société des Nations ;

3o— l'action en raison d'une décision prise par l'Assemblée ou par le Conseil de la Société des Nations, ou en application de l'Article XV paragraphe 7 du Pacte de la Société des Nations, pourvu que dans ce dernier cas cette action soit dirigée contre l'Etat qui le premier s'est livré à une attaque.

4o— l'action d'aide à un Etat soumis à l'attaque, l'invasion ou le recours à la guerre par une autre des des Hautes Parties Contractantes contrairement au Traité de renonciation à la guerre signé à Paris le 27 Août 1928.

Société des Nations par le Secrétaire Général, qui sera prié d'en donner connaissence aux autres membres de la Société.

Les instruments de ratification seront déposés par chacune des Hautes Parties Contractantes auprès du Gouvernement iranien.

Aussitôt que les instruments de ratification auront été déposés par deux Hautes Parties Contractantes, le présent Traité entrera en vigueur entre ces deux Parties. Il entrera en vigueur avec la troisième quand celle-ci déposera l'instrument de ratification, et aussi avec la quatrième.

Chaque dépôt des instruments de ratification sera immédiatement notifié par le Gouvernement de l'Iran à tous les signataires du présent Traité.

Fait au Palais de Saad-Abad, le 8 Juillet 1937

Enclosure No. 2 with Despatch No. 1097 of July 14, 1937, From the American Legation at Teheran.

Translation

TREATY OF NON-AGGRESSION

Preamble.

His Imperial Majesty the Shahinshah of Iran,

His Majesty the King of Afghanistan,

His Majesty the King of Iraq,

The President of the Turkish Republic,

Desirous of contributing by all means in their power to the maintenance of relations of friendship and good understanding among themselves;

Animated by the desire to assure peace and security in the Near East by means of additional guarantees within the framework of the Covenant of the League of Nations, and thus to contribute to universal peace;

Aware of their obligations under the Treaty for the Renunciation of War signed at Paris on August 27, 1928, and under other treaties to which they are parties, which treaties are all in harmony with both the Covenant of the League of Nations and the Treaty for the Renunciation of War;

Have decided to conclude the present Treaty, and have, for that purpose, appointed:

His Imperial Majesty the Shahinshah of Iran:

His Excellency Enayatollah Samiy,
Minister of Foreign Affairs;

His Majesty the King of Afghanistan:

His Excellency Faizy Mohamed Khan,
Minister of Foreign Affairs of Afghanistan;

His Majesty the King of Iraq:

His Excellency Dr. Nadji al-Asail,
Minister of Foreign Affairs of Iraq;

The President of the Turkish Republic:

His Excellency Dr. Tevfik Rushdi Aras,
Minister of Foreign Affairs of Turkey;

Who,

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions:

Article I.

The High Contracting parties bind themselves to pursue a policy of refraining absolutely from any intervention in their internal affairs.

Article II.

The High Contracting Parties undertake specifically to respect the inviolability of their common frontiers.

Article III.

The High Contracting Parties agree to consult with each other in all conflicts of an international character which affect their common interests.

Article IV.

Each of the High Contracting Parties binds itself not to have recourse under any circumstances to any act of aggression, either alone or in concert with one or more Third Powers, directed against one of the others.

The following are considered acts of aggression:

(1) A declaration of war;

(2) An invasion, even without declaration of war, of the territory of a State by the armed forces of another State;

(3) An attack upon the territory, naval vessels, or aircraft of a State, even without declaration of war, by the land, naval, or air forces of another State;

(4) Aid or assistance, direct or indirect, given to an aggressor.

The following do not constitute acts of aggression:

(1) Exercise of the right of legitimate defence, i.e., resistance to an act of aggression as defined above;

(2) Operation or application of Article XVI of the Covenant of the League of Nations;

(3) Action based upon a decision of the Assembly or the Council of the League of Nations, or in application of paragraph 7 of Article XV of the Covenant of the League of Nations, provided that in the latter case the action is directed against the State which first engaged in an attack;

(4) Action in aiding a State subjected to attack, invasion or recourse to war by another of the High Contracting Parties, contrary to the Treaty for the Renunciation of War signed at Paris on August 27, 1928.

Article V.

If one of the High Contracting Parties considers that Article IV of the present Treaty has been violated or is about to be violated, it shall immediately bring the question before the Council of the League of Nations. The preceding provision shall not prejudice the right of this High Contracting Party to take all measures which it deems necessary in the circumstances.

Article VI.

If one of the High Contracting Parties commits an act of aggression against a Third Power, the other High Contracting Party may, without prior notice, denounce the present Treaty in so far as it concerns the aggressor.

Article VII.

Each of the High Contracting Parties undertakes to prevent within its respective borders the formation of, or action by, armed bands, associations, or organizations for the overthrow of established institutions, aiming to disturb order or security in any part, near the frontier or elsewhere, of the territory of the ot her Party, or aiming to disturb the form of Government of such other Party.

Article VIII.

The High Contracting Parties, having already recognized

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in the general Pact for the Renunciation of War of August 27, 1928, that the settlement or solution of all differences or conflicts, of whatever nature or origin, which may arise between them shall only be sought through pacific means, confirm this provision, and declare that they will avail themselves of the procedures created, or to be created, for this purpose between the High Contracting Parties.

Article IX.

No article of the present Treaty may be considered as in any way diminishing the obligations assumed by each of the High Contracting Parties under the Covenant of the League of Nations.

Article X.

The present Treaty, drawn up in French, signed in four originals, of which each High Contracting Party acknowledges having received one, is entered into for a period of five years.

At the end of this period, unless one of the High Contracting Parties has given six months prior notice of its denunciation, the Treaty shall be considered as renewed and in full force for another period of five years, and for like successive periods, until one of the High Contracting Parties gives six months prior notice of its denunciation. The Treaty, if denounced by one of the Parties, will continue in effect between the others.

The present Treaty shall be ratified by each of the High Contracting Parties according to its Constitution, and shall be registered with the Secretary General of the League of Nations who shall be requested to inform the other members of the League thereof.

The instruments of ratification shall be deposited with the Iranian Government by each of the High Contracting Parties.

As soon as the instruments of ratification have been deposited by two High Contracting Parties, the present Treaty shall take effect as between those two Parties. It shall take effect as regards the third Party when the latter deposits the instrument of ratification, and in like manner as regards the fourth.

Notice of each deposit of instruments of ratification shall be immediately communicated by the Government of Iran to all signatories of the present Treaty.

Done at the Palace of Saadabad, July 8, 1937.

(Signed) Samiy
Minister of Foreign Affairs
of Iran.

(Signed) Faizy
Minister of Foreign Affairs
of Afghanistan.

(Signed) Nadji al-Assil
Minister of Foreign Affairs
of Iraq.

(Signed) T. R. Aras
Minister of Foreign Affairs
of Turkey.

Enclosure No. 3 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Translation

From: Le Messager de Téhéran, July 11, 1937.

SPEECH BY ENAYATOLLAH SAMIY, MINISTER OF FOREIGN AFFAIRS OF IRAN, ON THE OCCASION OF THE SIGNING OF THE FOUR-POWER PACT AT SAADABAD ON JULY 8, 1937.

"Excellencies and dear Colleagues:

" I really find no words which could faithfully interpret the joy which I feel at this solemn moment. We have just been engaged in the construction of an eminently important work whose foundations were laid about two years ago at Geneva.

"By the signatures we have just put under this diplomatic document which lies before you, and which you will permit me to call the Treaty of Saadabad, we have placed an indelible seal upon the bonds of a sincere and cordial entente which will henceforth preside over the relations of our four countries.

"I am particularly happy that the realization of this ideal which our four friendly nations have been pursuing has taken place in the capital of the country which I have the honor to represent. I am all the more proud of this event because the three nations, friends and neighbors of Iran, have been good enough, by sending their delegations to Teheran, to emphasize the favorable reception which they have accorded from the beginning to the initiative taken by my Government in the execution of the wishes of His Imperial Majesty Shahinshah Pahlevi, my august sovereign.

"It is not necessary for me to make here any excuses for the work which we have just accomplished. Its importance must be apparent to everybody as a valuable contribution which our four nations, henceforth united by indissoluble ties, have made not only to the maintenance of peace in Western Asia but also towards the preservation of peace in general.

"Our four countries will henceforth maintain, within the framework of the League of Nations and while jealously guarding their friendly relations with other neighbors, an active and close collaboration in all international spheres of interest to them. I feel certain that this collaboration will be all the more fruitful because the bonds which unite them are those of a sincere, cordial, and confiding friendship.

"Permit me, Excellencies and dear Colleagues, in congratulating you on the work you have just finished, to tell you how happy Iran will be to contribute to the smooth functioning of the Oriental Entente which we have created. Permit me also, Gentlemen, to request you to be so good as to join me in raising your glasses to the greatness of our Chiefs of State, one of whose most sincere wishes we have realized, to the soundness of the entente which we have just established, and to the prosperity of the four sister nations which we have the honor of representing here."

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Enclosure No. 4 with Despatch No. 1097 of July 14, 1937, From the American Legation at Teheran.

Translation

From: Sétareh'ye-Djéhane, July 9, 1937.

Communiqué

The Ministers of Foreign Affairs of the Imperial Government of Iran, of the Royal Government of Afghanistan, of the Royal Government of Iraq, and of the Government of the Turkish Republic have to-day July 8, 1937 (Tir-Mah 17, 1316) at the summer Palace of Saadabad (Shimran-Teheran) signed the Pact which had already been initialed on October 2, 1935 (Mehr-Mah 9, 1314) between Iraq, Iran and Turkey, and with which the Afghan Government later declared itself to be in complete agreement.

This Pact, which is the result of the sincere and cordial relations existing between the four signatory States, and which demonstrates the friendly spirit which governs their relations with all other countries, strengthens their community of interests and their fraternal collaboration, and reveals their firm will to profit from the said relations in order to maintain general peace.

The Ministers of Foreign Affairs of Afghanistan, Iraq, and Turkey have, on several occasions in the course of their sojourn at Teheran, conferred with His Excellency Djam, Prime Minister, and with His Excellency Enayatollah Samiy, Minister of Foreign Affairs of Iran. During these meetings and while examining questions relating to their common interests, as well as when studying questions relating to general policy, the Ministers of Foreign Affairs have found that there existed between the four States a perfect identity of views.

The Minister of Foreign Affairs of the Imperial Government of Iran:

(sgd) Samiy

The Minister of Foreign Affairs of the Royal Government of Afghanistan:

(sgd) Faizy Mohamed Khan

The

The Minister of Foreign Affairs of Iraq:

(Sgd) Nadji al-Asail

The Minister of Foreign Affairs of the Government of the Turkish Republic:

(sgd) Tevfik Rushdi Aras.

Enclosure No. 5 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Clipping from LE JOURNAL DE TEHERAN, July 13, 1937.

Le Conseil de l'Entente Orientale

Les Ministres des Affaires Etrangères des quatre Pays signataires du Pacte de Saadabad se sont réunis aujourd'hui, le 8 juillet 1937, et ont décidé ce qui suit:

En vue de délibérer sur les questions qui touchent les intérêts communs des Etats signataires du Pacte et de coordonner leur attitude il formé un Conseil.

Ce Conseil, composé des Ministres des Affaires Etrangères des Pays signataires, se réunira, au moins une fois par an, à Genève ou à tout autre endroit suivant la décision prise dans son sein.

La Présidence du Conseil sera à tour de rôle et respectivement exercée par le Ministre des Affaires Etrangères de l'Afghanistan, de l'Irak, de l'Iran et de la Turquie.

Toutefois, le Gouvernement de Sa Majesté Impériale le Chahinchah Pahlavi ayant pris l'initiative des négociations qui ont abouti à la conclusion du Pacte dont la signature a, d'ailleurs, eu lieu à Téhéran, Palais de Saad-Abad, la Présidence du Conseil sera, pour la première période annuelle, assumée par le Ministre des Affaires Etrangères de l'Iran.

Il sera également institué un Secrétariat du Conseil auprès du Président en exercice, composé d'un Secrétaire Général choisi par lui parmi les hauts fonctionnaires de son Ministère et de trois Secrétaires respectivement désignés par les autres membres du Conseil.

D. R. Aras	Nadji-al-Asil	Samiy	Faiz
Ministre des Affaires Etrangères de Turquie.	*Ministre des Affaires Etrangères de l'Irak.*	*Ministre des Affaires Etrangères de l'Iran.*	*Ministre des Affaires Etrangères de l'Afghanistan.*

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Le Conseil de l'Entente Orientale, réuni sous la présidence de Son Excellence Monsieur Enayatollah Samiy, Ministre des Affaires Etrangères de l'Iran, a décidé:

—I—

De poser et de soutenir la candidature de l'Iran pour le siège au Conseil de la Société des Nations actuellement occupé par la Turquie et qui deviendra vacant au mois de septembre prochain par l'expiration du mandat triennal et de prendre toutes mesures en conséquence afin qu'après l'expiration du mandat de l'Iran ce même siège revienne successivement aux membres de l'Entente en suivant l'ordre alphabétique.

—II—

De proposer et de soutenir parallèlement à la candidature de l'Iran la rééligibilité de la Turquie. Pays à la fois européen et asiatique, de façon à lui faire octroyer une semi-permanence au sein du Conseil de la Société des Nations afin de lui assurer la possibilité de donner suite à son activité des plus utiles.

—III—

De prier Son Président en exercice de vouloir bien porter à la connaissance du Secrétaire Général de la Société des Nations la Signature du Pacte conçu dans le cadre et dans l'esprit du Covenant.

—IV—

De prier également Son Président de vouloir bien, à l'occasion de la signature du Pacte, faire part aux Puissances et Ententes voisines des intentions sincères des signataires pour maintenir et développer, tant séparément qu'en commun, leurs relations d'amitié réciproque si heureusement existantes.

Samiy	Faiz	D. R. Aras	Nadji-Al-Asil
Ministre des Affaires Etrangères de l'Iran.	*Ministre des Affaires Etrangères de l'Afghanistan.*	*Ministre des Affaires Etrangères de Turquie.*	*Ministre des Affaires Etrangères de l'Irak.*

Enclosure No. 6 with Despatch No.1027 of July 14, 1937, From the American Legation at Teheran.

Translation

From: Le Messager de Téhéran, July 14, 1937.

Communique:

THE COUNCIL OF THE ORIENTAL ENTENTE

The Ministers of Foreign Affairs of the four countries signatory to the Pact of Saadabad met today, July 8, 1937, and decided upon the following:

With a view to deliberating upon the questions which touch on the common interests of the States signatory to the Pact, and to coordinating their attitude, they have formed a Council.

This Council, composed of the Ministers of Foreign Affairs of the signatory States, shall meet at least once a year at Geneva or at any other place of their own choice.

The Presidency of the Council shall be occupied in turn by the Ministers of Foreign Affairs, respectively, of Afghanistan, Iraq, Iran and Turkey.

However, since the Government of His Imperial Majesty the Shahinshah had taken the initiative in the negotiations resulting in the conclusion of the Pact, which, moreover, was signed at the Palace of Saadabad at Teheran, the Presidency of the Council shall be, for the first period of one year, assumed by the Minister of Foreign Affairs of Iran.

A Council Secretariat shall be established under the President in office, composed of a Secretary General chosen by him from among the high officials of his Ministry, and three Secretaries named by the other members of the Council, respectively.

(Signed)

T. R. Aras, Minister of Foreign Affairs of Turkey.	Nadji al-Assil, Minister of Foreign Affairs of Iraq.	Samiy, Minister of Foreign Affairs of Iran.	Faizy, Minister of Foreign Affairs of Afghanistan.

Enclosure No. 7 with Despatch No. 1097 of July 14, 1937, From the American Legation at Teheran.

Translation

From: Le Messager de Téhéran, July 14, 1937.

Communiqué.

The Council of the Oriental Entente, meeting under the Presidency of His Excellency Enayatollah Samiy, Minister of Foreign Affairs of Iran, has decided:

I

To propose and to support the candidacy of Iran to the seat in the Council of the League of Nations now occupied by Turkey, which will become vacant during the month of September next through the expiration of the three-year term; and to take all measures necessary so that after the expiration of the term of Iran, this same seat shall be occupied in turn by the members of the Entente in their alphabetical order.

II

To propose and to support, side by side with the candidacy of Iran, the re-eligibility of Turkey, a country at once European and Asiatic, in such manner as to obtain for it semi-permanence in the Council of the League of Nations in order to assure to it the possibility of continuity of its very useful activity.

III

To request its President in office to be so good as to bring to the knowledge of the Secretary General of the League of Nations the signing of the Pact conceived within the framework and in the spirit of the Covenant.

IV

Likewise, to request its President in office, in connection with the signing of the Pact, to be so good as to inform neighboring Powers and Ententes of the sincere intentions of the signatories to maintain and develop, separately as well as collect-

ively.

ively, their relations of mutual friendship which now so happily exist.

(Signed)

Samiy,	Faizy,	T.R.Aras,	Nadji al-Assil,
Minister of Foreign Affairs of Iran.	Minister of Foreign Affairs of Afghanistan.	Minister of Foreign Affairs of Turkey.	Minister of Foreign Affairs of Iraq.

Enclosure No. 8 with despatch No.1097 of July 14, 1937, from the American Legation at Teheran.

Translation

From the IRAN of June 28, 1937.

A NEAR EASTERN ALLIANCE.

(Paraphrase)

Once more the sun of greatness is rising in the mountains of the East and the star of good fortune is ascending to give the people of the Orient the tidings of its hegemony.... Centuries ago the East had supremacy over the West; gradually through the inefficiency of rulers it lapsed into lethargy and gave way to Western superiority..... Oriental civilization has had its strange traits which are not to be found in the mechanized civilization of the West, and when it resumes its onward march of progress humanity will reach its acme of perfection.

From the very outset of his great career the sagacious sovereign of Iran has been aiming high to expand Oriental civilization and to erect a lofty world-wide palace on the imperishable ruins of this land's past culture.... History has recorded a distinguishing feature of our ancient as well as our present civilization viz. the protection of human rights and a devotion to world peace....

The two great geniuses of Iran and Turkey were well aware that to wash the stains of unfriendliness which existed in past centuries and to foment a spirit of unity between our two countries might mean the dawn of a great Near Eastern Alliance. Such an alliance was one of the hazy dreams of yore. It was a pleasing hallucination which no one believed could ever become a reality. Thanks to the unshakable power of His Imperial Majesty and the good will of the great Turkish prodigy, that day has at last come.....

This indeed constitutes one of the principal objects of His Excellency Dr. Rushdi Aras's visit to Iran. He is here to make us visualize the aims of the two geniuses of the Orient for a union of the Near East.... History attests to the fact that the only means of saving humanity from the present state of chaos, distress, and disaster is to extend the ancient civilization of the Orient, a civilization which was founded on the welfare of mankind. The expension of this civilization is very difficult without an alliance between Near Eastern States..... This will lead the people in other parts of the world to abandon their predatory nature.... This alliance will mark the beginning of an Oriental supremacy, a life-giving news on which we heartily congratulate all the peoples of the Near East.

Enclosure No. 9 with Despatch No.1097 of July 14, 1937, from the American Legation at Teheran.

Translation

From the IRAN of July 2, 1937.

The Non-Aggression Pact.

(Paraphrase)

Asia has an important duty to perform. Asia knows what that duty is and is performing it very well indeed. When barbarity was in full sway throughout the world Asia was the cradle of civilization. It taught humanity and radiated culture to other parts of the earth. Today under the guidance of its great rulers it is consolidating the foundation of world peace and concluding a quadrilateral pact.

Early in the year 1935 the Imperial Government took measures towards this end... The Imperial Iranian Minister for Foreign Affairs took up the matter with the Foreign Ministers of Turkey and Iraq in the September session of the League the same year. The representatives of the three countries approved it. Then the Iranian Foreign Minister decided to invite the Afghan Government to participate. The latter expressed its sympathy with the projected pact in November, 1935.....

Irano-Iraq frontier disputes over the Shatt-el-Arab were not as yet settled and the Imperial Government did not consider it suitable to sign a four-power pact definitively prior to the termination of said differences. Fortunately the controversy finally came to an end last month, and the way became clear for the signing of the pact.

Since it was the Iranian Government which had taken the initiative and as His Excellency the Turkish Foreign Minister was consistently requesting that the pact be signed in Teheran, our Government availed itself of his presence to extend invitations to the Foreign Ministers of Iraq and Afghanistan. Both accepted the invitation. The former arrived last night and the latter has already left Kabul for Teheran.

This pact, which consists of ten articles, does not conflict with the principles laid down in the statutes of the League of Nations. In fact it will serve as the complement of said statutes. For according to article 21 of the Covenant coalitions of this nature which are formed between Governments having common interest only serve to strengthen the foundations of peace and of the League.

The basic article of this pact is an obligation assumed by four Governments regarding non-aggression against one another. Furthermore, there are articles whereby the four Governments of the Near East will make every effort to respect their boundaries, hold cordial consultations in matters of joint interest, and refrain from interfering in the domestic affairs of one another.

Each provision of this pact is by itself very valuable and important.... This alliance will be recorded in the annals of the Orient with brilliant letters of gold.

The world is watching us with cheerful eyes. The angel of peace is gazing at this corner of the earth and waiting for the Four-Power Pact of the East to further solidify the foundation of world peace.

Enclosure No. 10 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Translation

Excerpt from an editorial in the ETTELA'AT of July 3, 1937, entitled "A Pact between Four Neighboring States".

It is an old saying that history repeats itself. . . Two thousand five hundred years ago the Iranian nation laid the foundation of freedom and world peace. . . Sixteen years ago this nation was one of the weakest nations in the world. During this very short period of time Iran reached that high stage of progress which enables her to be one of the champions of world peace. She has assumed her place in international politics.

These days the city of Teheran has become one of the important centers of world peace. Those who only look at the outward appearance of things see dim, dirty and narrow lanes transformed into wide, long and pleasant streets, and mud houses turned into solid buildings. Such men see the railway, construction works, highways, factories, and thousands of other miraculous reforms. But those who see the innermost depths and appreciate the moral and spiritual side of things more than material phases realize how a city that was once the playground for colonial intrigues and foreign politics has today become the site of one of the most imposing structures of world peace. . . .

When our beloved leader, who is one of the greatest men of the world, laid the cornerstone of this modern culture and embarked upon his startling feats he was determined that Iran must attain the highest level of moral and material advancement. . . .

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Enclosure No. 11 with Despatch No. 1097 of July 14, 1937
From the American Legation at Teheran.

Translation

Editorial from the ETTELA'AT of July 4, 1937, entitled "The Quadrilateral Pact".

The unprecedented bloodshed of the world war, the outrages theretofore unrecorded in the history of mankind, the deplorable sight of desolate houses and towns, of families that were entirely annihilated, of mourning widows, orphans and childless parents, all led the world's thinkers to take measures to guarantee the maintenance of peace among the various nations. Such were the high ideals so consistently expressed by President Woodrow Wilson. And the League of Nations was finally created for the purpose of fostering international confidence. . . . .

The Iranian Government, whose pacific policy has always been paramount, welcomed the thought and joined the League in the very beginning. Thus far it has proved itself to be a steady and stable member, with a conciliatory spirit in all international problems.

But alas! It soon developed that the League is not a sure safeguard against war. Experience showed that one of the best contributions to world peace are individual or collective pacts which can be generalized. The Iranian Government was one of the very first to conceive this remedy. This indeed is a most important step taken to solidify the foundations of peace and the League of Nations. In the Covenant of the League there is a special provision in this respect. . . . . .

The present pact is an imperishable safeguard for peace and fraternity. It is also a great symbol of national growth.

How pleasant it is indeed to look around and see no one but friends! How agreeable for a nation to have no grudge against neighbors! How fortunate we are when we unite to exterminate the nefarious monster of malignity and strife and to set an example to the world of peace, brotherhood, and happiness!

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Enclosure No. 12 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Translation

Excerpt from an article in ETTELA'AT of July 6, 1937, entitled "A New Epoch in the Near East".

- - -

What a contrast between the peaceful atmosphere of Western Asia and the disquieting dissensions which reign in Europe where the imminence of war is feared every moment!

The differences and troubles of the West are the result of daily increasing materialistic quarrels which create deep-seated rancor and ill-will. Such quarrels, which are the result of imperialism, can only be hateful. . . .

During the last few years international pacts analogous to the present one have been concluded for the stabilization of peace - the most famous of them being the Locarno, the Little Entente, and the Balkan Pacts. . . . .

The most significant factor which has attracted everybody's attention is that the harmony and unity which now exist between Iran, Turkey, Afghanistan, and Iraq are extremely rare among any four nations. In fact, which four neighboring states could be found so closely related in their civilization, morals, religion, art, history, literature, and even music and architecture? . . . . .

There are ties, intellectual, cultural, philosophical and mystical, which bind these four nations together. For many centuries they shared each other's weals and woes, and whenever one nation faced a danger the rest were usually also confronted by the same danger - exactly like a family of four brothers who would all suffer if any one of them became the victim of misfortune. . . . .

In the realm of commerce and economic relations the destinies of our four nations have always been interdependent. And similarly, in the domain of politics their happiness and misfortunes have been mutual. In the dark days, when colonial cupidity and Western imperialism held full sway, all four nations were at the mercy of the identical perils. It is one of the most extraordinary coincidences in modern history that these four nations should all simultaneously have found salvation from their pre-War state of distress and humiliation.

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Enclosure No. 13 with Despatch No. 1087 of July 14, 1937, from the American Legation at Teheran.

Translation

Excerpt from an editorial in the KUSHESH of July 6, 1937, entitled "The Quadrilateral Pact".

The pact has a great advantage as neighborly, cultural, historical, religious and literary ties have all helped to engender such a feeling of mutual understanding between the contracting parties that hardly anything can impair their unity.....

Any action taken to stabilize the peace and tranquility of the world tends to strengthen and vitalize the aims and ideals of the League.....

Every precaution has been taken to anticipate any legal or other consideration which might conceivably weaken the pact later on. Hence there is every reason to believe that it will be immune from any misunderstandings in the future.....

Translation

Excerpt from an editorial in the KUSHESH of July 9, 1937, entitled "Strengthening the Foundations of Peace - A Great Day."

History shows that the progress and prosperity of any nation have been uniformly coeval with the rule of strong and patriotic leaders.... If in certain parts of the world peace is preached and not practised, the contrary is true in the Orient where by peace we really mean peace. This is no longer idle talk but a pact of concrete friendship concluded on firm and stable foundations between four states. As the herald of peace and freedom Iran is being once more guided by her traditional principles. Under the supreme intellectual leadership of her august sovereign she has remedied her defects, and in the world's most difficult hours and convulsive days she has manifested her traditional traits by entering into a pact with neighbors to show the world that the angel of peace and tranquility has permanently spread its strong wings over this large portion of the earth.....

Now is the time when the Orient shou ld act as the forerunner of peace and harmony and lead the world once more to happiness and spiritual pleasures with the torchlight of her sublime civilization.

Enclosure No. 14 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Translation

Excerpt from an article in ETTELA'AT of July 8, 1937, entitled "A Great Historic Date".

The people of Iran have seen many glorious days which have marked turning points in their history. One of those days, which left an indelible impression in the hearts of our fellow citizens, was the 21st of February, 1921, (i.e. the day of the coup d'état when Reza Khan took Teheran). . . and it may be said without exaggeration that today is another glorious date in our contemporary history. . . On this auspicious occasion the resplendent banner of peace is being hoisted in Western Asia, the land of culture and mysticism, the land of free and noble men. The peoples of Iran, Iraq, Afghanistan, and Turkey, whose high renown dates from very ancient times, have blotted out all discords and dissensions for which their inefficient and crude statesmen of the past were responsible. By signing the Quadrilateral Pact they have put up an imposing structure for peace, and from the top of this magnificent edifice they are summoning the whole world to love and peace, harmony and justice. Once again they are illuminating this dismal and dreary world with the brilliant torch-light of Oriental civilization which has the brotherhood of mankind as its one goal.

- - - - - - -

Enclosure No. 15 with Despatch No. 1097 of July 14, 1937, from the American Legation at Teheran.

Translation

From the ETTELA'AT of July 11, 1937.

The Saadabad Pact.

The Saadabad Pact, as shown by its ten articles, is a mere regional non-aggression pact, pure and simple, which is in full accord with the spirit of the League, the treaties and principles of international law. If we view the pact in a perfunctory manner, without taking into consideration the factors that have brought it into existence, we will not grasp its real importance. In that case we would be considering it on the same footing as other non-aggression pacts. . . Contrary to certain treaties and conventions which are founded on political designs of an adventurous character or on force, compulsion, petty political and economic interests, and whose life depends altogether on the same factors and causes, the Saadabad Pact is not merely a series of spiritless diplomatic formulas. It is the outcome of lofty sentiments, implicit faith and perfect understanding between the four Oriental nations forming the Oriental Entente.

To accomplish their extensive plans for internal reform and rehabilitation the great leaders ruling these four countries, after having achieved domestic order and security in each country, deem it essential to establish external security, peace and harmony. They are convinced that bloodshed and warfare mean nothing but rack and ruin, human misery and disaster. They are driven to the conviction that through peace alone humanity can attain real comfort and happiness.

A belief in this general principle, the absence of grievances and dissensions, ever increasing neighborly ties of perpetual friendship, political and economic interdependence, and in fine a series of imperishable natural and important factors have caused us to join hands and, in the words of Dr. Rushdi Aras, that distinguished Turkish diplomat, to create a common homeland for brotherhood.

These supreme and sacred causes permit us to look upon the pact as the principal future pivot of Western Asiatic politics, and as an important diplomatic document of modern history, hoping that despite any future mishaps, controversies, and threats, this zone will maintain neutrality and keep aloof from the destructive conflagration of international strife.

The present pact is the prelude to an extensive scheme of important cooperation with which the high contracting parties will proceed in all spheres of activity. The goal of these movements and activities is peace and tranquility and its ideal real human comfort and happiness. . . .

767.90G 12 Non aggression.

DOCUMENT FILE

NOTE

SEE 711.00 Statement July 16 1937/280 FOR despatch #333

FROM Turkey (Washington) DATED Aug.23, 1937

TO NAME

1—1127 GPO

REGARDING: Conclusion of the Middle Eastern Pact

Publication of of Secretary of State's felicitation to the Turkish Minister for Foreign Affairs on the -.Clipping from the JOURNAL D'ORIENT of Aug.18

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767.90G 12 NON AGGRESSION/54

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TELEGRAM RECEIVED

DEPARTMENT OF STATE
SEP 13 1937
DIVISION OF
NEAR EASTERN AFFAIRS

lw 1—1236 FROM

Teheran

Dated September 13, 1937

Rec'd 9:35 a.m.

DIVISION OF
EUROPEAN AFFAIRS
SEP 16 1937
DEPARTMENT OF STATE

Secretary of State

Washington

83, September 13, 11 a.m.

At Saturday's opening of Parliament Shah's speech from the throne contained the following passage: "As the general world situation required that we too should exert ourselves to consolidate more and more the foundations of peace and to give wider application to pacific means for the settlement of disputes, we have, after liquidating our frontier differences with Iraq (by?) but a previous agreement, concluded a treaty known as the Saadabad Pact (***) at this moment when world affairs are exposed to disturbances this Pact will be a powerful help towards the maintenance of peace."

ENGERT

WWC:GW

767.90G 12 NON-AGGRESSION/55

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SEP 16 1937

TREATY DIVISION
Eur File
SEP 25 1937
DEPARTMENT OF STATE

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, July 18, 1937.

No. 1099.

Subject: Arrival in Teheran of the Afghan Foreign Minister.

DIVISION OF
EUROPEAN AFFAIRS
SEP 23 1937
DEPARTMENT OF STATE

DISTRIBUTION CHECK Yes No
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DEPARTMENT OF STATE
SEP 18 1937
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
A-M/C
SEP 21 1937
ASSISTANT SECRETARY
OF STATE

The Honorable

The Secretary of State,

Washington, D. C.

Distribution Instructions
Greece for

767.90G12 Non-aggression/42

Sir:

Referring to the Legation's telegram No. 45 of July 9, 10 a.m. and despatches No. 1095 of July 10 and No. 1097 of July 14, 1937, I have the honor to report that Sardar Faiz Mohamed Khan, the Minister of Foreign Affairs of Afghanistan, arrived in Teheran on July 7, 1937, having been invited by the Iranian Government to be present for the signing of the Middle Eastern Four-Power Pact. He made the journey by automobile from Kabul in seven days, via Herat and Meshed. This was his first

visit

767.90G12 NON-AGGRESSION/56

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SEP 30 1937

visit to Teheran.

Like the Turkish and Iraqi Ministers of Foreign Affairs he was lodged in the Sahebqaranieh Palace at Shimran. He was received in audience by the Shah and lunched with him on July 8th, and in the afternoon of the same day he signed the Treaty of Saadabad. A farewell party was given for him on July 15 by the Afghan Embassy, and he left Teheran on July 16th to return to Kabul by the same route by which he had come.

Faiz Mohamed Khan was accompanied by Mohamed Karim Khan, Director General of Political Affairs, and Mohamed Ismail Khan, Director of the Oriental Department, of the Afghan Ministry of Foreign Affairs. All three spoke English, but no French. Their conversations with Iranian officials took place in the Persian language.

At the Prime Minister's banquet on July 8th - given in honor of the three visiting Foreign Ministers - Faiz Mohamed Khan made a brief extemporaneous speech (not having had time to prepare one, he said) from which the following sentence only need be quoted:

> "I am happy that His Majesty the Shahinshah, by summoning us here for the purpose of realizing a great plan of reciprocal collaboration, has given us a lesson which had been forgotten, namely that the nations of Western Asia are united by solidarity".

On July 13th the Iranian Minister of Foreign Affairs gave a special dinner for the Afghan Foreign Minister at which he intimated for the first time that preparations had been made for the conclusion of certain agreements and conventions between Iran and Afghanistan. He said:

> "I am very pleased to have been able, during the past few days, to prepare the bases of fresh accords intended to solve, in the general interest, certain questions which interest only our two coun-

tries,

Note 790H.91

> tries, and to have made satisfactory progress in that direction.
>
> "It would have made me very happy if these agreements could have been signed in Teheran immediately after the Saadabad Pact. Unfortunately Your Excellency's impending departure does not give us time to sign these agreements."

Faiz Mohamed Khan referred in his reply to "the immense progress made in Iran in such a short time, which shows to the whole Orient that, if well directed, our peoples are capable of achieving in a few years what formerly required several centuries." He then spoke of the "common destiny of Afghanistan and Iran which causes them to collaborate in international affairs in the interest of the four signatories of the Treaty of Saadabad".

Replying more specifically to the Iranian Foreign Minister's allusion to other agreements, the Afghan Minister of Foreign Affairs said:

> "I should like to tell you here how happy I would have been to conclude also certain pending matters by taking advantage of my presence in Teheran and of the valued cooperation of Your Excellency. But in accordance with my instructions I am obliged to return to Kabul as speedily as I have come. I believe, however, that these minor agreements which are being studied can be signed at Kabul with the Ambassador of His Imperial Majesty. But I want to add that, in any event, this visit of mine is not enough and I am convinced that others will follow and that Kabul and Teheran will establish more and more frequent personal and direct contacts."

I understand that the "minor agreements" mentioned by the Foreign Ministers as being about to be concluded consist of a series of separate conventions regarding frontiers, commerce, communications, and possibly extradition.

Among the newspaper comment occasioned by the presence of the Afghan Minister of Foreign Affairs, as distinguished from comment on the Four-Power Pact, only the following passages deserve to be quoted, as the rest consisted largely of

<u>eulogies</u>

eulogies of the rulers of Iran and Afghanistan:

> "Apart from our relations as neighbors, based on historic and geographic ties, there is a higher form of bonds which unite Iran with Afghanistan - the most important of which being a unity of race, language, literature, and sentiments. . .. That is why each nation has been so happy to witness the other's progress and prosperity. . . .
>
> "At a time when the political horizon of the world is becoming darker and darker every minute we are indeed fortunate that these bases of our friendly relations are daily being strengthened through the good will and benevolence of our eminent leaders. . ." (ETTELA'AT, July 7, 1937)

> "What makes His Excellency's visit most significant is the fact that he comes to us at a time when one of the most solid foundations is being laid for the preservation of international peace and harmony by the conclusion of the Four-Power Pact. . . .
>
> "While the press of certain countries is talking of the menace of war and is creating a panic among its readers, paeans of peace are being sung in the capitals of the four signatory countries. . . ." (KUSHESH, July 8, 1937)

> "We are happy and proud to announce today that a complete understanding has been fully realized between Iran and Afghanistan and that fraternal ties now unite us, not only for the defense of our interests and the maintenance of peace in the Orient, but also for the safeguarding of international peace." (JOURNAL DE TEHERAN, July 8, 1937).

Although this was Faiz Mohamed Khan's first appearance in Teheran, several of his predecessors had paid visits to this capital since King Amanullah's visit in 1928 on his way back from his famous tour of Europe. Incidentally, it is perhaps not generally known that Amanullah had been a rather consistent advocate of a Middle Eastern Entente, only his idea was to include Soviet Russia as a "big brother". (Iraq was not, of course, an independent state at that time). As long ago as 1921 a treaty had been signed between Afghanistan and Persia, and it was followed by a Treaty of Amity signed at Kabul on November 28, 1927. The latter not only confirmed the one of 1921 but added non-aggression and neutrality clauses.

Protocols to the treaty of 1927 were signed at Teheran in 1928 just prior to Amanullah's return to Kabul.

In the meantime Afghanistan had established very friendly relations with Turkey, and in 1928 the two countries signed a treaty of Amity which was similar in scope to the Persian treaty. The immediate result of both treaties was that the Afghan Legations at Teheran and Ankara and the Persian and Turkish legations at Kabul were raised to embassies.

Considering that Persia had already signed non-aggression treaties with Turkey (1926 and Protocols in 1927) and with Soviet Russia (1927) it seemed likely that Amanullah's plans would materialize, when the revolt which broke out against him in 1929 and drove him into exile put an end to the Afghan lead in the matter.

During the following few years constant unrest in Afghanistan put a considerable strain on its relations with Iran because the internal lack of order encouraged the Afghan tribesmen to engage in their favorite pastime of raiding Iranian villages near the border. So exasperated did the Iranian Government become by these raids that it is believed at one time to have seriously contemplated a military expedition into Afghanistan to put a stop to them - and to annex Herat! At any rate it seems fairly well established that military help was offered to King Amanullah in return for certain rectifications of the frontier, but was declined.

With the return of order in Afghanistan under the last two rulers fresh interest was evinced in an Eastern Entente, except that by this time both Iran and Afghanistan had shown a tendency to move out of the Soviet orbit, and Turkey was rapidly becoming the dominant political factor in Middle East-

ern

ern affairs. Realizing that frontier difficulties were keeping Iran and Afghanistan apart, just as the Kurdish troubles had caused bitter feelings between Turkey and Iran (see Legation's despatch 1095, July 10, 1937, pp. 2-3), Turkey put General Fahreddin Pasha at the disposal of both parties and he presided over a commission which, in the summer of 1935, helped to settle most of the grazing and watering rights of the tribes on both sides of the border.

In connection with the Firdausi Millenary celebration in October 1934 the then Afghan Minister of Foreign Affairs paid a visit to Meshed where he met Kazemi, the Iranian Foreign Minister, and is said to have had important conversations of a political nature with him. Kazemi returned the call by going to Kabul (and on to India) in November 1935. While there he is believed to have promised, among other things, to grant certain facilities to the Afghan pilgrim traffic which passes through Iran and which had been the cause of much friction between the two countries. He probably also made sure of Afghanistan's adherence to the Non-Aggression Pact which had been initialed at Geneva between Turkey, Iran, and Iraq in October 1935. (See Legation's despatch No. 1097, July 14, 1937, p. 3). A year later (November 1936) the Afghan Minister of War, Sardar Shah Mahmud Khan, spent a week in Teheran on his return from Ankara and Baghdad.

The presence of the Afghan Foreign Minister in Teheran this year marks therefore the culmination of a series of efforts to improve the relations between Afghanistan and Iran. And the willingness on the part of Faiz Mohamed Khan to undertake, on such short notice and in the heat of summer, the

long

long and strenuous journey from Kabul to Teheran and back again may be taken as an indication of a sincere disposition to continue to collaborate closely, not only with Iran but also with the other three signatories of the Saadabad Pact.

By becoming a member of this "Western Asiatic Entente" - as the quadrilateral pact has already been called in Teheran diplomatic circles - Afghanistan displays the same sober and realistic mood as the others. But being the easternmost of the four it probably is more conscious of the fact that together they might play a considerable part in the affairs of Central Asia, and possibly even the Far East. The history of Russia in recent years doubtless proved to Kabul that to erect a practicable regional understanding under Soviet auspices was hardly possible. On the other hand, by comparing notes with Iran and Turkey, the Afghan Government will have observed that British policy is today more trusted there than at any time since the Great War. As a near neighbor of British India, therefore, Afghanistan has every incentive to cultivate friendly relations with the British Empire, and if by forming part of a reasonably strong bloc Afghanistan can help to prevent a recurrence of Russo-British rivalries in Central Asia, so much the better.

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Respectfully yours,

C. Van H. Engert,
Chargé d'Affaires a.i.

File No. 710-Triplicate.

CVHE/PSC

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, July 28, 1937.

DEPARTMENT OF STATE
OCT 2 1940
DIVISION OF
NEAR EASTERN AFFAIRS

No. 1103.

Subject: Visit of the Iraqi Foreign Minister. Settlement of the Shatt-el-Arab Boundary Dispute. The Four-Power Pact and other Treaties with Iraq.

HISTORICAL ADVISER
SEP 30 1937
DEPT. OF STATE

Office of the Geographer
SEP 30 1937
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SEP 18 1937
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
A-M/C
SEP 22 1937
ASSISTANT SECRETARY
OF STATE

The Honorable
The Secretary of State,
Washington, D. C.

Routing Grade for	Distribution Instructions

Sir:

In continuation of and to complete the Legation's despatches No. 1095 (767.91/92) of July 10, No. 1097 (767.90g12 Non-Aggression/53) of July 14, and No. 1099 (56) of July 18, 1937, I have the honor to inform the Department that the Minister of Foreign Affairs of Iraq, Dr. Naji al-Assil, arrived in Teheran from Baghdad on July 1st, i.e. three days after Dr. Rushdi Aras and six days before Faiz Mohamed Khan. But as he remained

much

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767.90G12 NON-AGGRESSION/57

OCT 18 1937
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much longer than the others - he did not leave until July 25th - it seemed best to await the end of his stay before reporting on his activities, especially as he was busy signing treaties almost up to the day of his departure.

Dr. Naji al-Assil brought the following staff with him:

Seyid Nosrat al Farsi, Director General of the Ministry of Foreign Affairs;

Seyid Djamil es-Selam, Director of Oriental Affairs;

Taufik es-Saadun, Chief of Protocol;

Abdullah al-Bakr, Secretary; and

Djebrail al-Bana, Legal Adviser.

He was met at the frontier by the Iranian Minister to Iraq, Mozaffar Aalam, who escorted him to Teheran.

Like his Turkish and Afghan colleagues he was housed in the Sahebqaranieh Palace and the attentions paid him were identical with those already described in connection with the visits of the other Foreign Ministers. That is, he was received by the Shah on July 3rd and stayed to lunch with His Majesty; the Iranian Minister of Foreign Affairs gave an official dinner for him on July 4th, and the Iraqi Legation a large reception on July 5th; on the 8th he attended, with the other Foreign Ministers, an official dinner and reception given by the Premier, Mahmud Djam, at the old Imperial Palace of Gulistan; and on the 17th he himself gave a large party at the Iraqi Legation.

However, he did manage to vary the program a little by slipping away for four days (July 12-15) to travel to the Caspian Sea by the recently opened railroad and to return by car over the new scenic Chalus highway.

In many respects it was felt that the Iraqi Foreign Minister was the most important personage of those invited by

Iran to come to Teheran, for it is practically certain that if the Iraqi Government had shown itself less conciliatory in the matter of the boundary in the Shatt-el-Arab (i.e. the river formed by the Tigris and Euphrates) the Four-Power Treaty could never have been signed. It was perhaps a fortunate coincidence that both Dr. Naji al-Assil and Enayatollah Samiy (the Iranian Foreign Minister) were thoroughly conversant with the problem - the former having served as Counselor and Chargé in Teheran and the latter as Minister in Baghdad when the negotiations were in progress. As stated in the Legation's previous despatches, much credit is also due to Dr. Rushdi Aras for bringing about a rapprochement between Iran and Iraq by his mediation in the Shatt-el-Arab dispute which Iraq had fallen heir to when it became independent of Turkey.

Note 790 g. 9115

This controversy dates back to the 18th century, but even in its more acute form it is already a hundred years old. For in 1837 the Turks captured Mohammarah from the Kaab Sheikhs who appealed at once to the Persian Government for help. The latter demanded the evacuation of Mohammarah and an indemnity of one million pounds sterling, and when Turkey refused it seemed as if war was inevitable. It was at this juncture that Great Britain and Russia intervened and, after much haggling, forced Turkey and Persia to accept their mediation. The result was the Treaty of Erzerum of 1847 (ratified at Constantinople in 1848), Article 2 of which reads in part as follows:

> "The State of Turkey also firmly undertakes that the town and seaport of Mohammarah, and the Island of Al Khizr, and the anchorage place, and also the lands of the eastern bank, i.e. of the left side of the Shatt-el-Arab, which are in the

possession

> possession of tribes admittedly attached to Persia, shall be in the possession of the State of Persia in full sovereignty. Moreover, Persian ships shall have the right to navigate the said river in full liberty, from the point where it flows into the sea to the point of juncture of the frontiers of the two parties."

As this treaty did not fix a definite boundary a commission was appointed consisting of representatives of Turkey, Persia, Great Britain, and Russia which was to determine it. The commission recommended a line in 1850, but it was rejected by Persia and Turkey. Finally, in 1869, a map of the frontier was produced on which two lines were drawn, with the vague statement that somewhere between them should be the true boundary!

This unsatisfactory state of affairs could not, of course, have lasted long had it not been for the fact that - with the increasing commercial importance of Mohammarah and the Shatt-el-Arab - the people on the spot had reached an informal working agreement by which the frontier was supposed to run down the middle of the stream, leaving the islands to the east and west of it to Persia and Turkey, respectively. As regards the control of navigation, both parties exercised customs and police supervision with more or less success.

In 1910 Great Britain and Russia once more attempted to help settle this knotty problem, but it was not till November 1913 that a Protocol was signed at Constantinople by representatives of Turkey and Persia which introduced certain modifications in the 1848 Agreement. In the following year (1914) the frontier was duly demarcated on the spot by a Turco-Persian Boundary Commission, with the assistance of British and Russian delegates.

The Treaty of Erzerum had given Persia the port and anchor-

age

age in the Karun river, opposite the old town of Mohammarah and lying between that town on the one bank and the island of Abadan on the other. But as modern steamers could not possibly anchor opposite the old town of Mohammarah the new agreement allotted to Persia, as the anchorage of Mohammarah, one half of the Shatt-el-Arab for about one mile below to a point about four miles above the mouth of the Karun. However, the anomalous situation at the modern port of Abadan continued because in the region of the Shatt-el-Arab even the new agreement merely carried out the provisions of the Treaty of Erzerum by following the low-water line on the Abadan bank and the islands adjacent thereto.

No sooner had the demarcation of the boundary line been completed than the World War broke out. From 1914 to 1919 the control of the Shatt-el-Arab was vested in the British military authorities, and in the latter year was delegated to the Director of the Port of Basra, under the Civil Administration of Mesopotamia. The latter adhered strictly to the Treaty of Erzerum and gave administrative effect to the Constantinople Protocol of 1913 and the decisions of the Delimitation Commission of 1914. An excellent light, buoy, and pilotage service was established and much tact was displayed in dealing with the Persian authorities.

By this time the tank steamers of the Anglo-Persian Oil Company had, of course, become the most important part of the river traffic as far as Abadan. And when the Iraq Government came into existence the company put funds at its disposal for the dredging of the Shatt-el-Arab bar and other expensive improvements. But from the Persian point of view the situation became untenable, for although the control of the river was

vested

vested entirely in Iraq, most of t he shipping was bound for Abadan and Mohammarah, i.e. Persian ports, without the Persian Government being able to exercise its old informal right of policing and patroling the river.

With the accession of Reza Shah to the throne the situation was sooner or later bound to come to a head. Iraqi claims to ownership of the left bank were openly disregarded, police posts were established on territory claimed by Iraq, and a number of other "acts of aggression" (according to the Iraqi authorities) were constantly being committed, presumably to show that the new Iran had no intention of recognizing the boundary awarded to the old Turkey. When Iraq found that its protests in Teheran had no effect it finally (in November 1934) appealed to the League of Nations under paragraph 2 of Article XI of the Covenant.

The Iraqi Government based its case on the fact that it was one of the successors to the Turkish Empire and could therefore ipso facto claim all rights deriving from the above-mentioned Treaty of Erzerum, the Constantinople Protocol, and the Boundary Commission's decisions. It could not, it said, sign away part of its sole outlet to the sea, especially as in practice Iran enjoyed the free use of the river and even kept gunboats there. The Iranian Government, in its reply to the League in January 1935, refuted the validity of these instruments, and more particularly of the last two because they had never been ratified by the Iranian Parliament. But apart from the legal aspects of the question, it felt that in equity a claim to the whole width of a navigable river was inadmissible, and that the general principle of international law should govern whereby the frontier would lie in midstream or,

as

as it is technically known, the medium filum aquae or the thalweg.

The Council of the League appointed Baron Aloisi (the Italian) as "rapporteur", and although the arguments on both sides were thoroughly ventilated no agreement could be reached, chiefly because Iran's refusal to recognize the validity of existing treaties robbed the controversy of every basis for discussion. At the meeting of the League in June 1936 Baron Aloisi was therefore obliged to report the failure of his efforts, and the whole dispute was provisionally placed on the agenda of the next (1937) League Council. In the meantime Dr. Rushdi Aras, the Turkish Foreign Minister, had advised both governments to resort to direct negotiations on the ground that this procedure had proved eminently successful in settling his own frontier difficulties with Iran. The Turkish suggestion was accepted, direct conversations were resumed at Baghdad, and in January 1936 Iraq withdrew its complaint to the League.

Since then the negotiations appear to have progressed favorably and the Iraqi Foreign Minister also discussed the problem at Ankara in September 1936 and again in April 1937. At last, in June 1937, the frontier treaty was initialed in Baghdad and on July 4, 1937 ("an auspicious date", as the Iranian Minister of Foreign Affairs remarked to me) it was signed at the Foreign Office in Teheran by Enayatollah Samiy and Dr. Naji al-Assil.

As I understand from the Iraqi Legation that this, as well as the other treaties signed here, would be published in English in Baghdad I am only transmitting the French, i.e. the official, text of these documents.

From Article 1 of the new Treaty (Enclosure No. 1) it

will

will be observed that the Iranian Government has at last agreed - subject to the modifications in Article 2 - to accept the validity of the Constantinople Protocol of 1913 and of the Proceedings of the Delimitation Commission of 1914. The most important provision of the treaty is therefore contained in Article 2, which reads as follows:

> "The boundary line, upon reaching the furthermost point on the Island of Shoteit (approximately latitude N. 30°17'25", longitude E. 48°19'28") joins, in a line perpendicular to the low-water mark, the thalweg of the Shatt-el-Arab which it follows to a point situated opposite the present Jetty No. 1 at Abadan (approximately latitude N. 30°20'8.4", longitude E. 48°16'13"). From this point the frontier resumes the low-water line and follows it as described in the Proceedings of 1914."

In other words, while Iraq in general retains as its boundary the low-water level of the Shatt-el-Arab, Iran is given the middle of the stream for nearly four miles opposite Abadan.

Article 4 provides that from a point where the land frontiers enter the river down to the open sea the Shatt-el-Arab shall be open, on a footing of equality, to the merchant ships and war vessels of all nations, and that the dues collected shall be used to improve the waterway and for similar expenses. And according to Article 5 a convention is to be signed between Iran and Iraq regarding these dues, as well as dredging, pilotage, sanitary measures, etc.

On the same day, i.e. July 4, 1937, a Protocol to the treaty was likewise signed (see Enclosure No. 1) providing, inter alia, that the Convention mentioned in Article 5 should be concluded within a year, and that until then the Government of Iraq would continue to be in charge of these matters as heretofore. It also contains the interesting provisions

that

that permission granted by one of the contracting parties to foreign warships to enter the Shatt-el-Arab shall be deemed to have been granted by the other also, and that nothing in the Treaty shall affect the rights and obligations of Iraq "vis-à-vis the British Government with respect to the Shatt-el-Arab in conformity with Article 4 of the Treaty of June 30, 1930, and paragraph 7 of its Annex of the same date".

On the day the boundary treaty was signed a joint Communiqué was issued (Enclosure No. 2) declaring that "the differences which have for many years existed between the two countries have been definitely removed", which would "enable them to build upon firm bases their collaboration toward the maintenance of peace".

Excerpts from four of the most important newspaper articles which commented more particularly on the settlement of the Iraq boundary are enclosed herewith in translation (Enclosures Nos. 3-6). It will be noted that all considered it a necessary stepping-stone to the Middle Eastern Entente.

On the night of July 4th the Iranian Minister of Foreign Affairs gave a large dinner for his colleague from Iraq, the hour of which was made thirty minutes later to give guests who had come to the Independence Day Reception at the American Legation time to change! For it so happened that the treaty was not signed till after 5 p.m., so that several of the government officials had barely time to attend the party at the Legation (See also Legation's telegram No. 44, July 6, 5 p.m.).

At this banquet the usual speeches were made, but only the following passages are considered worth quoting:

"Your

"Your Excellency may rest assured", said Enayatollah Samiy, "that I am particularly honored to be among those who have contributed towards the realization of the desire of His Imperial Majesty the Shahinshah that the difference be resolved which until now prevented a closer collaboration between our two Governments, a collaboration eminently necessary to safeguard the common interests of our sister nations, to maintain peace in Western Asia, and to contribute towards universal peace. . . .

"The fact that the dispute between Iran and Iraq was ended just on the eve of the arrival of His Excellency Rushdi Aras not only caused us the occasion for receiving you in our capital, but will enable us to proceed shortly to the signing of the Pact which has already been initialed between the Governments of Iran, Iraq, and Turkey, and to which the Government of Afghanistan was also good enough to adhere - a combination of circumstances which must be counted among the happiest history has ever recorded."

Dr. Naji al-Assil replied:

"It is a great honor for me to be the happy representative of His Majesty King Gazi in putting an end to a difference which until now prevented a closer collaboration between our two States. A collaboration which is a fundamental necessity for the protection of the common interests of the two sister nations, for the maintenance of peace in Western Asia, and the participation of our two countries in world peace."

With the signing of the frontier treaty there was removed one of the last remaining obstacles to the conclusion of the Four-Power Pact. And, as already reported in despatch No. 1097/53 of July 14th, the latter was signed at Saadabad Palace on July 8th. Dr. Naji al-Assil's signature was, of course, affixed for Iraq, and on that same evening at the Prime Minister's banquet he made a speech from which a few excerpts are quoted in Enclosure No. 7.

The next event of importance during Naji al-Assil's stay in Teheran was the signing, on July 18th, of a Treaty of Friendship between Iran and Iraq. (The French text will be found on the same page as Enclosure No. 1). Although its

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first

first article stipulates - perhaps somewhat too optimistically - that " perpetual peace and indissoluble friendship" must henceforth govern the relations between the two countries, its principal importance lies in the fact that (in Article 3) the high contracting parties agree to sign as soon as possible the following seven treaties and conventions:

(1) Convention re "good-neighborliness" and frontier security;

(2) Extradition Treaty;

(3) Treaty re Domicile and Nationality;

(4) Commercial Treaty;

(5) Convention re Judicial Cooperation ("Assistance Judiciaire");

(6) Consular Convention; and

(7) Postal and Telegraph Convention.

A few days later, on July 22, 1937, Dr. Naji al-Assil signed with Iran a so-called "Arbitration Treaty", but more literally a "Treaty for the Pacific Solution of Differences". (Enclosure No. 8). This document consists of twenty-four articles and contains the usual provisions regarding recourse - within the framework of the League - to the Court of International Justice, arbitration, and conciliation. Paragraph 3 of Article 2, however, enumerates rather important exceptions to which this treaty is not to apply, to-wit

(a) disputes which arose prior to the promulgation of the treaty, or which refer to events or facts which occurred prior to it;

(b) differences which international law leaves exclusively to the jurisdiction of one of the parties; and

(c) differences regarding their territorial integrity.

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Article 6

Article 6 provides that any dispute which cannot be settled by a judicial or arbitral decision will be made the subject of conciliation, and if within a month after the conciliation procedure has terminated the parties have not arrived at a settlement Article 15 of the Covenant of the League shall be invoked. The treaty will remain in effect for a period of five years, and if not denounced at least six months before then it shall continue in force for a further period of five years, and so on.

It is an interesting fact that, apart from printing the texts of the documents, not one of the local newspapers has referred to or commented on the signing of either the Treaty of Friendship of July 18, 1937, or the Treaty for the Pacific Settlement of Disputes of July 22, 1937. And as the press is entirely controlled by the government one cannot escape the conclusion that the Iranian Government did not wish to see them discussed, at least not before their ratification.

Considering that in recent times the fabric of international good will has suffered a number of distressing rents and tears and that there has been much fostering of artificial hate, the aggregate achievements in Teheran are both impressive and encouraging. They mark a distinct stage in the efforts to bring about better relationships between the four most important states of the Middle East. As regards more particularly the relations between Iran and Iraq they have obtained, it is hoped, a permanent settlement of an ancient and embittered controversy. And while Iran's strongest point was doubtless that an international river should not be permitted to be subject to unilateral control, it may be safely assumed that Iraq was largely influenced in making a gesture

of reconciliation by the fact that, aside from the bond of the Shiah religion, most of its trade (other than oil) is with Iran. It is therefore not unlikely that once the maintenance of more than superficially friendly relations has become the established policy of both, and provided always both can maintain internal stability, the removal of political obstacles will give a strong impetus to commercial cooperation and economic reorganization, not only between them but between all other Near and Middle Eastern peoples as well.

Respectfully yours,

C. Van H. Engert,
Chargé d'Affaires a.i.

8 ✓

Enclosures:

1.- Clipping from LE JOURNAL DE TEHERAN, July 20, 1937, containing French texts of "Traité de Frontière" & "Protocole", signed July 4, 1937, and "Traité d'Amitié entre l'Empire de l'Iran et le Royaume de l'Irak" signed July 18, 1937;

2.- Translation from LE JOURNAL DE TEHERAN, July 5, 1937, entitled "Signature of the Irano-Iraqi Frontier Treaty";

3.- Translation of excerpts from ETTELA'AT, July 1, 1937, entitled "The Settlement of the Irano-Iraqi Difference";

4.- Translation from LE JOURNAL DE TEHERAN, July 2, 1937, entitled "Complete Entente Achieved with Iraq";

5.- Translation from ETTELA'AT, July 5, 1937, entitled "End of the Frontier Disputes";

6.- Translation from SETAREH'YE-DJEHANE, July 6, 1937, entitled "Iran and Iraq";

7.- Translation of excerpts from Iraqi Foreign Minister's speech of July 8, 1937;

8.- Clipping from LE MESSAGER DE TEHERAN, August 1, 1937, containing French text of "Traité pour le Règlement Pacifique des Différends entre l'Empire de l'Iran et le Royaume de l'Irak".

File

File No. 710-Triplicate.

Copy sent to Legation, Baghdad,

Copy for Embassy at London attached.

CVHE/PSC

La signature des Traités d'amitié et de frontière entre l'Iran et l'Irak

S. E. Samiy, ministre des affaires étrangères de l'Iran, lors de la signature des Traités.

S. E. le Docteur Nadji-Al-Asili, ministre des affaires étrangères d'Irak, signe les traités irano-irakiens.

TRAITE

D'amitié entre l'Empire de l'Iran et le Royaume de l'Irak.

Sa Majesté Impériale le Chahinchah de l'Iran
d'une part
et
Sa Majesté le Roi de l'Irak
d'autre part,

inspirés du désir sincère de resserrer les liens de cordiale amitié qui ont toujours existé entre l'Empire de l'Iran et le Royaume de l'Irak, et convaincus que la consolidation de ces relations fraternelles, fondées sur le principe de réciprocité et d'égalité parfaite, contribuera à la prospérité et au bien-être de leurs Nations respectives, sont tombés d'accord pour conclure un Traité d'amitié et ont à cet effet nommé pour leurs Plénipotentiaires:

Sa Majesté Impériale le Chahinchah de l'Iran:

Son Excellence Monsieur Enayatollah Samiy, Ministre des Affaires Etrangères de l'Iran;

Sa Majesté le Roi de l'Irak:

Son Excellence Monsieur le Docteur Nadji-Al-Asil, Ministre des Affaires Etrangères de l'Irak;

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus de ce qui suit:

ARTICLE 1

Une paix perpétuelle et une amitié indissoluble régnera entre l'Empire de l'Iran et le Royaume de l'Irak, ainsi qu'entre les ressortissants des deux parfaite réciprocité, des droits, privilèges, immunités et exemptions accordés aux représentants diplomatiques et consacrés par les principes et la pratique du droit commun international.

ARTICLE 3

Les Hautes Parties Contractantes conviennent de conclure dès la ratification du présent Traité, et dans le plus bref délai, les Traités et Conventions suivants:

1— Convention de bon voisinage et relative à la sécurité de la zone frontalière et au règlement des conflits surgissant dans la dite zone.

2— Traité d'Extradition.

3— Traité d'établissement et de Nationalité.

4— Traité commercial.

5— Convention de l'assistance judiciaire.

6— Convention Consulaire.

7— Convention relative aux postes et télégraphes.

ARTICLE 4

Ce Traité sera ratifié et les instruments de ratification seront échangés à Bagdad. Il entrera en vigueur à la date de l'échange des instruments de ratification.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Traité.

Fait à Téhéran en deux exemplaires, en langues persane, arabe et française; en cas de divergence le texte fran-

leurs pleins pouvoirs trouvés en bonne et due forme sont convenus de ce qui suit :

ARTICLE 1.

Les Hautes Parties Contractantes conviennent que les documents suivants à l'exception de la modification prévue à l'article 2 du présent Traité sont considérés valables et qu'Elles sont tenues de les observer:

A. «Le protocole relatif à la délimitation Turco Persane signé à Constantinople le 4 Novembre 1913»;

B. «Les procès-verbaux des séances de la Commission de Délimitation de la Frontière de 1914».

Vu les dispositions du présent article et sauf ce qui est prévu à l'article qui suit la ligne frontière entre les deux Etats est telle qu'elle est définie et tracée par la susdite commission.

ARTICLE 2.

La ligne frontière arrivée à la pointe la plus avancée de l'Ile de Chotelt (approximativement latitude 30. 17'25" nord, longitude 48.19'28" » est) rejoint en ligne perpendicutaire de la limite des eaux basses le thalweg du Chatt-El-Arab qu'elle suit jusqu'à un point situé en face de la jeté actuelle No 1 d'Abadan (approximativement latitude 30. 20'34" nord, longitude 48. 16,13" » est). De ce point la ligne frontière reprend le niveau des eaux basses et suit le tracé de la frontière tel qu'il est décrit par les procès-verbaux de 1914.

ARTICLE 3.

Aussitôt après la signature du présent Traité les Hautes Parties Contractantes désigneront une commission aux fins d'ériger les bornes frontières dont

du côté de la mer, ou à subvenir à des dépenses faites dans l'intérêt de la navigation. Les dites redevances seront calculées sur la base du tonnage officiel des navires ou de leur flottaison ou des deux simultanément.

B. Le Chatt-El-Arab restera ouvert au passage des bâtiments de guerre et des autres navires des deux Hautes Parties Contractantes non affectés au commerce.

C. Le fait que dans le Chatt-El-Arab la ligne frontière suit tantôt la limite des eaux basses et tantôt le thalweg ou le medium filum aquae, ne préjudicie en rien au droit d'usage des deux Hautes Parties Contractantes dans tout le cours du fleuve.

ARTICLE 5.

Les deux Hautes Parties Contractantes ayant un intérêt commun dans la navigation du Chatt-El-Arab tel qu'il est défini à l'article 4 du présent Traité s'engagent à conclure une convention relative à l'amélioration de la voie navigable, au dragage, au pilotage, aux redevances à percevoir, aux mesures sanitaires, aux mesures à prendre en vue de prévenir la contrebande, ainsi qu'à toutes autres questions concernant la navigation dans le Chatt-El-Arab, tel qu'il est défini à l'article 4 du présent Traité.

ARTICLE 6.

Le présent Traité sera ratifié et les instruments de ratification seront échangés à Baghdad aussitôt que faire se pourra. Il entrera en vigueur à dater du jour où cet échange aura lieu.

En foi de quoi, les plénipotentiaires des deux Hautes Parties Contractantes

chacune des Hautes Parties Contractantes.

Les coordonnées géographiques ainsi définitivement déterminées dans les limites fixées à l'Article susmentionné seront consignées dans un procès-verbal qui, après avoir été signé par les membres de la susdite Commission, fera partie intégrante du Traité des frontières.

II

Les Hautes Parties Contractantes s'engagent à conclure la convention prévue à l'Article 5 du Traité dans le courant d'une année à partir de l'entrée en vigueur du Traité.

Si, malgré la diligence prodiguée par Elles, cette Convention ne venait pas à être conclue dans le courant de l'année, ce délai pourra être prolongé par accord commun des Hautes Parties Contractantes.

Le Gouvernement Impérial de l'Iran consent à ce que, pendant le délai d'un an mentionné au premier alinéa du présent article et pendant la prolongation de ce délai si cette prolongation venait à avoir lieu, le Gouvernement Royal de l'Irak se charge sur les bases actuellement en vigueur, de toutes les questions devant être réglées par cette convention. Le Gouvernement Royal de l'Irak tiendra, par des communications semestrielles, le Gouvernement Impérial de l'Iran au courant des travaux exécutés, des redevances perçues, des dépenses faites et de toutes autres mesures entreprises.

III

L'autorisation accordée par l'une des Hautes Parties Contractantes à un bâtiment de guerre ou autre bâtiment de service public non affecté au commerce appartenant à un Etat tiers, à entrer dans des ports appartenant à cette Haute Partie Contractante et située sur le Chatt-El-Arab sera considérée comme ayant été donnée par l'autre Haute Partie Contractante pour que ce bâtiment puisse faire usage de ses eaux lors de la traversée du Chatt-El-Arab.

Toutefois celle des deux Hautes Parties Contractantes qui aura donné une telle autorisation devra, immédiatement, en informer l'autre.

IV

Il est bien entendu que, sous réserve des droits de l'Iran dans le Chatt-El-Arab rien dans ce Traité ne préjudicie aux droits de l'Irak et à obligations contractées vis-à-vis du Gouvernement Britannique concernant le Chatt-El-Arab conformément à l'Article 4 du Traité daté du 30 juin 1930 et au paragraphe 7 de son Annexe, signé à la même date.

V

Le présent protocole sera ratifié en même temps que le Traité relatif à la

Plénipotentiaires:

Sa Majesté Impériale le Chahinchah de l'Iran:

Son Excellence Monsieur Enayatollah Samiy, Ministre des Affaires Etrangères de l'Iran;

Sa Majesté le Roi de l'Irak:

Son Excellence Monsieur le Docteur Nadji-Al-Asil, Ministre des Affaires Etrangères de l'Irak;

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus de ce qui suit:

ARTICLE 1

Une paix perpétuelle et une amitié indissoluble régnera entre l'Empire de l'Iran et le Royaume de l'Irak, ainsi qu'entre les ressortissants des deux Etats.

ARTICLE 2

Les représentants diplomatiques et consulaires de chacune des Hautes Parties Contractantes jouiront, sur le territoire de l'autre, sous condition d'une

3— Traité d'établissement et de Nationalité.

4— Traité commercial.

5— Convention de l'assistance judiciaire.

6— Convention Consulaire.

7— Convention relative aux postes et télégraphes.

ARTICLE 4

Ce Traité sera ratifié et les instruments de ratification seront échangés à Bagdad. Il entrera en vigueur à la date de l'échange des instruments de ratification.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Traité.

Fait à Téhéran en deux exemplaires, en langues persane, arabe et française; en cas de divergence le texte français fera foi.

Le 18 Juillet 1937.

Enayatollah Samiy, Nadji-Al-Asil,

Ministre des Affaires Etrangères de l'Iran. Ministre des Affaires Etrangères de l'Irak.

TRAITE DE FRONTIERE

entre

L'Empire de l'Iran et le Royaume de l'Irak

Sa Majesté Impériale le Chahinchah de l'Iran

d'une part,

Sa Majesté le Roi de l'Irak

d'autre part;

animés du désir sincère de consolider les liens d'amitié fraternelle et de bonne entente entre les deux Etats et de mettre fin définitivement à la question de la frontière entre leurs deux Etats ont décidé de conclure le présent Traité et à cet effet ont nommé pour leurs plénipotentiaires:

Sa Majesté Impériale le Chahinchah de l'Iran

Son Excellence Monsieur Enayatollah Samiy, Ministre des Affaires Etrangères;

Sa Majesté le Roi de l'Irak

Son Excellence Monsieur le Docteur Nadji-Al-Asil, Ministre des Affaires Etrangères;

Lesquels, après s'être communiqué

La ligne frontière arrivée à la pointe la plus avancée de l'Ile de Chotteit (approximativement latitude 30. 17'25" nord, longitude 48.19'28" » est) rejoint en ligne perpendiculaire de la limite des eaux basses le thalweg du Chatt-El-Arab qu'elle suit jusqu'à un point situé en face de la jeté actuelle No 1. d'Abadan (approximativement latitude 30. 20'8"5 nord, longitude 48. 16,13"» est) De ce point la ligne frontière reprend le niveau des eaux basses et suit le tracé de la frontière tel qu'il est décrit par les procès-verbaux de 1914.

ARTICLE 3.

Aussitôt après la signature du présent Traité les Hautes Parties Contractantes désigneront une commission aux fins d'ériger les bornes frontières dont l'emplacement a été fixé par la commission mentionnée dans le paragraphe B de l'article 1er du présent Traité et de fixer de nouvelles bornes qu'elle jugera utile d'ériger.

La composition de la commission et le programme de ses travaux seront fixés par arrangement entre les deux Hautes Parties Contractantes.

ARTICLE 4.

Les dispositions qui suivent seront applicables au Chatt-El-Arab à partir du point où la ligne frontière terrestre des deux Etats descend dans le dit fleuve jusqu'à la haute mer:

A. Le Chaat-El-Arab restera ouvert d'un façon égale aux navires de commerce de tous les pays. Toutes redevances perçues auront le caractère de rétributions et seront destinées exclusivement à couvrir d'une manière équitable les frais d'entretien, de la navigabilité ou d'amélioration de la voie navigable et de l'accès du Chatt-El-Arab la navigation du Chatt-El-Arab tel qu'il est défini à l'article 4 du présent Traité s'engagent à conclure une convention relative à l'amélioration de la voie navigable, au dragage, au pilotage, aux redevances à percevoir, aux mesures sanitaires, aux mesures à prendre en vue de prévenir la contrebande, ainsi qu'à toutes autres questions concernant la navigation dans le Chatt-El-Arab, tel qu'il est défini à l'article 4 du présent Traité.

ARTICLE 6.

Le présent Traité sera ratifié et les instruments de ratification seront échangés à Baghdad aussitôt que faire se pourra. Il entrera en vigueur à dater du jour où cet échange aura lieu.

En foi de quoi, les plénipotentiaires des deux Hautes Parties Contractantes ont signé le présent Traité.

Fait à Téhéran, dans les langues persane, arabe, et française; le texte français faisant foi en cas de divergence.

Le 4 Juillet 1937

Enayatollah Samiy, Nadji-Al-Asil,

Ministre des Affaires Ministre des Affaires Etrangères de l'Iran Etrangères de l'Irak

PROTOCOLE

Au moment de procéder à la signature du Traité relatif à la délimitation des frontières entre l'Iran et l'Irak, les deux Hautes Parties Contractantes ont convenu de ce qui suit:

I

Les coordonnées géographiques désignées d'une manière approximative dans l'Article 2 du Traité susmentionné seront définitivement fixées par une commission d'experts composée d'un nombre égal de membres nommés par ses eaux lors de la traversée du Chatt-El - Arab.

Toutefois celle des deux Hautes Parties Contractantes qui aura donné une telle autorisation devra, immédiatement, en informer l'autre.

IV

Il est bien entendu que, sous réserve des droits de l'Iran dans le Chatt-El - Arab rien dans ce Traité ne préjudicie aux droits de l'Irak et à ses obligations contractées vis-à-vis du Gouvernement Britannique concernant le Chatt - El - Arab conformément à l'Article 4 du Traité daté du 30 juin 1930 et au paragraphe 7 de son Annexe, signé à la même date.

V

Le présent protocole sera ratifié en même temps que le Traité relatif à la délimitation des frontières dont il fera, comme Annexe, partie intégrante. Il entrera en vigueur en même temps que ce traité.

Le présent protocole est rédigé en persan, en arabe et en français. En cas de divergence le texte français fera foi.

Fait à Téhéran, en double exemplaire, le quatre juillet mil neuf cent trente-sept.

Enayatollah Samiy, Nadji-Al-Asil

Ministre des Affaires Ministre des Affaires Etrangères de l'Iran. Etrangères de l'Irak.

Pékin en passant par le Thibet.

Augmentation de capital

Va l'extension des transactions, le Conseil d'administration de la société par actions des étoffes de Hamadan a invité les actionnaires à une assemblée extraordinaire pour une augmentation du capital de la Société, les fonds actuellement disponibles étant insuffisants pour satisfaire aux demandes qui continuent à affluer.

Le barrage de Babol

Les travaux de construction du barrage de Babol qui avaient été arrêtés [illegible]

(*de notre correspondant particulier de Ghazvin*)

Samedi dernier, le nommé Tir Mohammad Tabrizi, se présentait dans la matinée au magasin de bric à brac de Tazhi Ghazvini et proposait au bouti-

[illegible]

Enclosure No. 2 with Despatch No.1103 of July 28, 1937
From the American Legation at Teheran.

Translation

From: Le Journal de Téhéran, July 5, 1937.

SIGNATURE OF THE IRANO-IRAQI FRONTIER TREATY

Communiqué.

The negotiations which have been conducted for some time by the Imperial Government of Iran and the Royal Government of Iraq relating to the common frontiers of the two States and to the question of the Shatt-al-Arab have just been crowned with success, and have resulted in the signature of a Frontier Treaty and of a Protocol annexed thereto.

With the signature of these documents, the differences which have for many years existed between the two countries have been definitely removed.

We are very happy to state that, under the aegis of His Imperial Majesty the Shahinshah of Iran and of His Majesty the King of Iraq, the illustrious sovereigns of the two neighboring and friendly countries, an atmosphere of perfect understanding and of sincere and trusting friendship, the symbol of a spirit of cordiality in the relations of the two sister nations, has now been created. This atmosphere will tend to reinforce still more the existing fraternal bonds between the two Peoples who are already united by innumerable material and moral ties, and will enable them to build upon firm bases their collaboration toward the maintenance of peace.

The Minister of Foreign Affairs of Iran	The Minister of Foreign Affairs of Iraq
(Signed) Samiy	(Signed) Nadji al-Assil

Enclosure No. 3 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

Excerpts from an editorial in ETTELA'AT of July 1, 1937, entitled "The Settlement of the Irano-Iraqi Difference". (Paraphrase)

For nearly three hundred years Persia and the Ottoman Empire quarreled over their boundaries, and in the absence of agreements defining clearly their common frontiers they even occasionally invaded each other's territory. . . . . In spite of the mediation of England and Russia towards the middle of last century, and in spite of the appointment of a special commission to delimit the Turko-Persian frontier the problem was left without solution and the disputes between the two nations became ever more menacing.

The brilliant advent of our great Shahinshah on the one hand, and the progress of Turkey under its farsighted Chief on the other, opened a new page in the history of the relations between the two countries. We have understood that the first elements of real progress and welfare, necessary for the aspirations of the two peoples, are respect for the rights of others and close cooperation. It is thanks to the lofty intentions of our august Shahinshah that we succeeded in 1932 in concluding a definite boundary convention with our dear neighbor Turkey. It is this same wisdom and foresight of our beloved sovereign that has likewise in these recent days brought about another striking success, viz the settlement of the frontier differences with Iraq which was last month arranged in Baghdad. . . . .

No further obstacle therefore exists to the signing of the Four-Power Pact which two years ago was suggested by the Minister of Foreign Affairs of Iran to the governments of Turkey, Iraq, and Afghanistan.

- - - - - - - - -

Enclosure No. 4 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

From the JOURNAL DE TEHERAN, July 2, 1937.

"Complete Entente Achieved with Iraq".

The arrival yesterday in Teheran of His Excellency Nadji al-Assil, Minister of Foreign Affairs of Iraq, which coincides with the presence here of His Excellency Rushdi Aras, demonstrates the friendship and desire for a rapprochement among the countries of the East in a sound atmosphere, both for the purpose of protecting there our interests and for the consolidation of international peace. . . . .

It must also be recognized and admitted that, despite differences and wars which aimed at momentary conquest for the benefit of the rulers of the hour, the religious unity has always created a kind of moral and intellectual combination throughout the vast territories of the East, from the shores of the Mediterranean in to Central Asia.

T he Oriental peoples constitute a family, whose members occasionally quarrel, but who nevertheless are related to each other, spiritually, culturally as well as economically. . . . . .

Now that all frontier questions between Iran and Iraq have been definitely settled, there is no longer any obstacle to the signing of the Four-Power Pact which had been suggested two years ago to our neighbors by the Minister of Foreign Affairs of Iran and we have the firm hope that this Pact, by guaranteeing definitely the maintenance of peace in the East, will favorably influence other countries who are devoted to peace and to international cooperation.

Enclosure No. 5 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

From the ETTELA'AT, July 5, 1937.

End of the Frontier Disputes.

The people of Iran and Iraq are bound together by a series of historical, geographical, economical and social ties. . . . . Nevertheless because of minor frontier differences we could not join hands in a satisfactory manner towards our common goal, viz. the maintenance of world peace. Our farsighted and discerning sovereigns, having grasped the importance and delicacy of the situation and the exigencies of the time, decided to solve the problem by recourse to friendly negotiations, which fortunately have been brought to a successful end. . . . .

Reciprocal good will left no doubt that a favorable solution would be found, and that is why the negotiations between the representatives of the two countries - in Baghdad, Geneva, as well as in Teheran - ended in a complete agreement as regards the bases which would satisfy both interested parties. It is thus that on Sunday last, at 5 o'clock, the representatives of the two Governments of Iran and Iraq put their signatures to the documents which concluded a period of negotiations and which assured to the two countries a new era of prosperity within an absolutely peaceful framework. . . .

Enclosure No. 6 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

From the SETAREH'YE-DJEHANE, July 6, 1937.

Iran and Iraq.

Our country, which has from the very first been known to be a believer in the League of Nations, has never since 1919 ceased to display in a practical way its pacific and humanitarian inclinations. . . . .

The Iranians are all without exception convinced of the utility of the League Covenant and of the obligations deriving from its various articles. That is why they accept with enthusiasm every idea, every concrete proposal, every plan or organization whose object is to enforce the provisions of the Covenant, among which Articles 10, 11, 12, and 16 are more especially upheld by Iranian public opinion. And as it has been proved that defensive agreements between two or more states assist powerfully in the maintenance of peace, our idea which has for some time been projected between the four principal powers of the Near East can evidently only serve the cause of Humanity. . . . .

Certain differences which formerly existed between Iran and Turkey and between Iran and Afghanistan were smoothed out and liquidated thanks to the good will shown by all parties. There only remained the little dispute between Iran and Iraq regarding their common frontiers and notably with respect to the Shatt-al-Arab. . . . . And now nothing remains to prevent the signing of the Oriental Pact which, by strengthening bonds of friendship and defensive alliance between the four nations and by sheltering them from any surprise, will permit them to live in peace and to think only of fresh progress in economic and cultural fields.

Enclosure No. 7 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

Foreign

Excerpts from the Iraqi/Minister's speech of July 8, 1937.

"The historic events which you have witnessed. . . . will leave in our hearts a deep and unforgettable memory. . . .

"Teheran, Ankara, Kabul, and Baghdad - capitals of the most ancient civilized nations - are joining hands and prove that the solidarity of their peaceful endeavors is one of the fundamental necessities of their progress and of the prosperity of their peoples. These nations who at one time were the most famous centers of civilization, and whose generosity has bequeathed to the human heritage incomparable intellectual and artistic wealth, have by a magnificent act of concord and solidarity proved their revival and their progress.

"The Orient awakened from its lethargy, has already proved by signal deeds its vitality and greatness. This new era which we are today inaugurating with the Pact of Saadabad promises the most brilliant results for the future under the auspices of a brotherly understanding, a durable friendship, and mutual comprehension. . . . . Our peoples desire to occupy the privileged place which is their due among civilized nations, and they wish to serve civilization and universal peace."

Enclosure No. 8 with Despatch No. 1103 of July 28, 1937, from the American Legation at Teheran.

Clipping from LE MESSAGER DE TEHERAN, August 1, 1937.

TRAITÉ

Pour le réglement Pacifique des différends

entre

L'EMPIRE de l'IRAN et le ROYAUME de l'IRAK

***

PRÉAMBULE

Sa Majesté Impériale le Schahinschah de l'Iran,

SA MAJESTÉ LE ROI DE l'IRAK,

Pénétrés de l'esprit d'amitié qui unit leurs deux pays.

Désireux d'assurer par des moyens pacifiques et dans le cadre du Pacte de la Société des Nations, le règlement de tous différends qui peuvent s'élever entre eux;

Ont décidé de conclure un traité à cette fin et ont nommé pour leurs plénipotentiaires:

Sa Majesté Impériale le Schahinschah de l'Iran,

Son Excellence Monsieur Enayatollah Samiy,

Ministre des Affaires Etrangères de l'Iran;

Sa Majesté le Roi de l'Irak,

Son Excellence Monsieur le Docteur Naji Al-Asil,

Ministre des Affaires Etrangères de l'Irak, qui, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu ce qui suit:

Article 1er. Les Hautes Parties Contractantes s'engagent à soumettre à une procédure de règlement pacifique, de la manière prévue au présent Traité, tout différend qui pourrait s'élever entre Elles et qu'il n'aura pas été possible de régler par la voie ordinaire des négociations diplomatiques.

ART 2.- I. A l'exception des cas prévus au paragraphe 3 du présent article, tous les différends dans lesquels les Parties se contestent un droit devront être soumis, pour décision, à la Cour Permanente de Justice Internationale, à moins que les Parties ne préfèrent recourir à un tribunal arbitral, ainsi qu'il est prévu ci après.

2. Il est entendu que les différends ci dessus mentionnés comprennent particulièrement ceux qui sont mentionnés à l'article 36 du Statut

à la compétence exclusive de l'une des Hautes Parties Contractantes;

c) différends relatifs au statut territorial de l'une des Hautes Parties Contractantes.

ART. 3.- Si les Parties conviennent de soumettre un des différends mentionnés au paragraphe 1er de l'article précédent à un tribunal arbitral, Elles rédigeront un accord spécial dans lequel Elles spécifieront l'objet du différend, les arbitres choisis et la procédure à suivre. En l'absence de précisions suffisantes dans l'accord spécial, les stipulations de la Convention de la Haye du 18 Octobre 1907 pour le règlement pacifique des conflits internationaux s'appliqueront dans la mesure nécessaire. Si rien n'est dit dans l'accord spécial quant aux règles relatives au fond du différend, qui doivent être suivies par les arbitres, le tribunal appliquera les règles de fond énumérés dans l'article 38 du Statut de la Cour Permanente de Justice Internationale.

ART. 4- Si les Parties ne peuvent s'entendre sur l'Accord spéciale prévu à l'article précédent ou ne peuvent nommer les arbitres, chacune des Parties aura la liberté, après préavis de trois mois, de porter le differend, par demande directe, devant la Cour Permanente de Justice Internaonale.

ART.5. I Dans le cas de différend mentionné à l'article 2 paragraphe 1er, avant toute procédure devant la Cour Permanente de Justice Internationale ou toute procédure arbitrale Les Parties peuvent convenir de recourir à la procédure de conciliation prévue au présent Traité .

2 En cas de recours à et d'échec de la conciliation, aucune des Parties ne peut porter le différend devant la

n'aura pas été possible de régler par la voie ordinaire des négociations diplomatiques.

ART 2.- I. A l'exception des cas prévus au paragraphe 5 du présent article, tous les différends dans les quels les Parties se contestent un droit devront être soumis, pour décision, à la Cour Permanente de Justice Internationale, à moins que les Parties ne préfèrent recourir à un tribunal arbitral, ainsi qu'il est prévu ci après.

2. Il est entendu que les différends ci dessus mentionnés comprennent particulièrement ceux qui sont mentionnés à l'article 36 du Statut de la Cour Permanente de Justice Internationale.

3. Le paragraphe 1er de cet article ne s'applique pas aux différends ci après :

a) différends ayant surgi antérieurement à la mise en vigueur du présent Traité ou relatifs à des situations ou à des faits antérieurs à la mise en vigueur;

b) différends relatifs à des questions que le droit international laisse à l'article précédent ou ne peuvent nommer les arbitres, chacune des Parties aura la liberté, après préavis de trois mois, de porter le differend, par demande directe, devant la Cour Permanente de Justice Internaonale.

ART.5 I Dans le cas de différend mentionné à l'article 2 paragraphe 1er, avant toute procédure devant la Cour Permanente de Justice Internationale ou toute procédure arbitrale Les Parties peuvent convenir de recourir à la procédure de conciliation prévue au présent Traité.

2 En cas de recours à et d'échec de la conciliation, aucune des Parties ne peut porter le différend devant la Cour Permanente de Justice Internationale ou demander la constitution du tribunal arbitral prévu à l'art. 5 avant l'expiration d'un mois à partir du terme de la procédure de la Commission de conciliation.

ART 6 Tout différend dont le règlement ne peut, aux termes du présent Traité, être obtenu par le moyen d'une décision judiciaire ou arbitrale, sera soumis à la procédure de conciliation.

ART.7.- Les différents mentionnés au précédent article seront soumis à une commission de conciliation constituée par les Parties, ainsi qu'il est prévu ci-après.

ART. 8.- Si un différend s'élève, une Commission de conciliation sera composée pour l'examen du différend dans un délai de trois mois à partir de la date à laquelle une requête à cet effet aura été adressée par l'une des Parties à l'autre.

A moins que les Parties intéressées n'en décident autrement, la Commission de conciliation sera constituée comme suit:

(1) La Commission sera composée de cinq membres.

Les Parties nommeront chacune un commissaire, qui peut être choisi parmi les nationaux respectifs. Les trois autres commissaires seront nommés d'un commun accord parmi les nationaux de Puissances tierces. Les commissaires éliront le président de la Commission.

(2) Il sera pourvu dans le plus bref délai possible, suivant le mode fixé pour les nominations, aux vacances qui peuvent se produire par suite de décès, démission ou toute autre cause.

Art 9.— Si la nomination des commissaires non nationaux n'est pas faite dans la période prévue dans l'article 8, les nominations nécessaires seront faites par le Président en exercice du Conseil de la Société des Nations, à la requête de l'une des Parties.

Art. 10.- I. La Commission de conciliation sera saisie par voie de requête adressée à son Président par les deux Parties agissant d'un commun accord ou, faute d'entente, par l'une ou l'autre des Parties.

2. La requête, après avoir exposé sommairement l'objet du litige, contiendra l'invitation à la Commission de procéder à toute mesure propre à conduire à une solution amiable.

3. Si la requête émane d'une seule des Parties, elle sera notifiée par celle-ci, sans délai, à l'autre Partie.

Art.11.- 1. La Commission de conciliation se réunira, sauf si les Parties en conviennent autrement, au lieu désigné par son Président.

2 La Commission peut, en toute circonstance, prier le Secrétaire Général de la Société des Nations de lui prêter, son aide, dans l'exercice régulier de sa mission.

ART. 12.- Les travaux de la Commission de conciliation n'auront de publicité qu'en vertu d'une décision prise par la Commission avec l'assentiment des Parties.

ART. 13.- 1. S'il n'en est autrement convenu, la commission de conciliation règlera elle-même sa procédure, qui, en tout cas, devra pourvoir à ce que chacune des Parties soit entendue.

2. Les Parties seront représentées

ART. 15.- Les Parties s'engagent à faciliter les travaux de la Commiss de conciliation et, en particulier, lui fournir dans la plus large mesu possible tous les documents et infor mations utiles, ainsi qu'à user des moyens dont Elles disposent pour lui permettre de procéder, sur leurs territoires et selon leurs législations, à la citation et à l'audition de témoins ou experts et à des transports sur les lieux.

ART. 16.- Pendant la durée des travaux de la Commission, chacun de ses membres de nationalité tierce recevra une indemnité dont le montant sera arrêté du commun accord des Parties; chacune en paiera la moitié

Les frais généraux occasionnés par le fonctionnement de la Commission seront répartis de la même façon.

ART. 17.- 1. La Commission de conciliation aura pour tâche d'élucider les question en litige, de recueillir à cette fin toutes les informations utiles, par voie d'enquête ou autrement, et de s'efforcer de concilier les parties Elle pourra, après examen de l'affaire exposer aux Parties les termes de l'arrangement qui lui paraîtrait convenabl et leur impartir un délai pour se prononcer.

2. A la fin de ses travaux, la Commission dressera un procès-verbal constatant, suivant le cas, soit que les Parties se sont arrangées et, s'il y a lieu, les conditions de l'arrangement soit que les Parties n'ont pu être réconciliées.

3. Les travaux de la Commission devront, à moins que les Parties n'en conviennent autrement, être terminés dans un délai de six mois à compter du jour où la Commission aura été saisie du différend.

ART.18.- Si, dans le mois qui suivra la clôture des travaux de la Commission de conciliation les Parties ne se sont pas entendues sur un autre moyen de règlement pacifique, le différend

Art.11.- 1. La Commission de conciliation se réunira, sauf si les Parties en conviennent autrement, au lieu désigné par son Président.

2 La Commission peut, en toute circonstance, prier le Secrétaire Général de la Société des Nations de lui prêter, son aide, dans l'exercice régulier de sa mission.

ART. 12.- Les travaux de la Commission de conciliation n'auront de publicité qu'en vertu d'une décision prise par la Commission avec l'assentiment des Parties.

ART. 13.- 1. S'il n'en est autrement convenu, la commission de conciliation règlera elle-même sa procédure, qui, en tout cas, devra pourvoir à ce que chacune des Parties soit entendue.

2. Les Parties seront représentées auprès de la Commission de conciliation par des agents ayant mission de servir d'intermédiaires entre Elles et la Commission; Elles pourront en outre, se faire assister par des conseils et experts nommés par Elles à cet effet et demander l'audition de toute personne dont le témoignage leur paraîtrait utile.

3. La Commission aura, de son côté, la faculté de demander des explications orales aux agents, conseils et experts des deux Parties, ainsi qu'à toutes personnes qu'elle jugerait utile de faire comparaître avec l'assentiment de leur Gouvernement.

ART. 14 - Sauf accord contraire des Parties, les décisions de la Commission de conciliation seront prises à la majorité des voix et la Commission ne pourra se prononcer sur le fond du différend que si tous ses membres sont présents.

2. A la fin de ses travaux, la Commission dressera un procès-verbal constatant, suivant le cas, soit que les Parties se sont arrangées et, s'il y a lieu, les conditions de l'arrangement soit que les Parties n'ont pu être réconciliées.

3. Les travaux de la Commission devront, à moins que les Parties n'en conviennent autrement, être terminés dans un délai de six mois à compter du jour où la Commission aura été saisie du différend.

ART.18- Si, dans le mois qui suivra la clôture des travaux de la Commission de conciliation les Parties ne se sont pas entendues sur un autre moyen de règlement pacifique, le différend sera traité conformément à l'article 15 du Pacte de la Société des Nations.

La présente disposition ne s'applique pas aux cas prévus à l'article 3 du présent Traité.

ART. 24 - 1. Le présent Traité est conclu pour une période de cinq années, à dater de son entrée en vigueur.

2. S'il n'a pas été dénoncé au moins six mois avant l'expiration de cette période, il continuera à rester en vigueur pour une nouvelle période de cinq ans et ainsi de suite.

3. Nonobstant la dénonciation par l'une des Parties Contractantes, les procédures engagées au moment de l'expiration du terme du Traité continueront jusqu'à leur achèvement normal.

Fait à Téhéran en double exemplaire, en français, le vingt-deux Juillet mil neuf cent trente sept.

MG - M A

PREPARING OFFICE WILL INDICATE WHETHER
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OR
Charge to
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TELEGRAM SENT

TO BE TRANSMITTED
✓ CONFIDENTIAL CODE
~~NONCONFIDENTIAL CODE~~
~~PARTAIR~~
~~PLAIN~~

Department of State

Washington,

This cable was sent in confidential Code.
It should be carefully paraphrased before being communicated to anyone. B
1937 SEP 17 AM 10 17
DEPARTMENT OF STATE
DIVISION OF COMMUNICATIONS AND RECORDS

September 17, 1937.

AMLEGATION

TEHERAN

45

11am

The Department had not been aware, prior to the receipt of your despatch No. 1097 (53) and despatch No. 333 of August 23 (711.00 Statement July 16, 1937/280) from our Embassy at Istanbul, (a copy of which was sent you) of the leading role played by the Shah in the conclusion of the Saadabad Pact. If you have any reason to believe that knowledge in Iran of our message of congratulation to Turkey in which a customary courteous reference was made to Atatürk (711.00 Statement July 16, 1937/140B) may diminish Iranian appreciation of the message you were instructed (711.00 Statement July 16, 1937/140A) to deliver, you may on some appropriate occasion tell the Foreign Minister that your Government is now aware of His Majesty's able leadership in this matter and is greatly appreciative of his enlightened policy.

There would of course be no objection to your showing the Minister your copies of the Turkish editorials on our message to Turkey if he expresses a desire to see them.

Hull

WSM

NE: WSM/GC

CR

SEP 16 1937 PM

Enciphered by _____

Sent by operator _____ *M.*, _____, *19*____, _____

D. C. R.—No. 50

1—1462 U. S. GOVERNMENT PRINTING OFFICE

767.90G12 NON-AGGRESSION/58

767.90G12 NON-AGGRESSION/59

September 16, 1937.

My dear Mr. Engert:

The background of the telegram we are sending today regarding our message of congratulation which you were instructed to deliver to the Iranian Foreign Minister on the conclusion of the Saadabad Pact is as follows:

Until we received your most interesting despatch No. 1097 (53) of July 14, 1937, on the signing of the Pact in Teheran and Mr. Washington's despatch No. 333 of August 23, 1937, on the same subject, we were not aware of the outstanding role played by the Shah in the conclusion of this Pact.

While, as you are aware, the message which you delivered to the Foreign Minister made reference to "the guidance of His Majesty Reza Shah", the Turks were not aware of that fact since in the message sent to them we made a courteous reference only to President Atatürk. In other words, we played no favorites and gave credit to both Chiefs of State. Incidentally, in the telegrams to Iraq

and

Cornelius Van H. Engert, Esquire,

American Chargé d'Affaires ad interim,

Teheran.

and Afghanistan no such references at all were made.

Since it is not improbable that the Iranian Ambassador in Turkey may have forwarded to his Government copies of the enthusiastic editorials published in Turkey with reference to our message of congratulation delivered simultaneously there, and since Yunus Nadi Bey in his editorial reminds us tactfully of the credit due the Shah of Iran in this matter, it seemed advisable to take the action outlined in our telegram under reference in order that there might not be any misunderstanding, much less offense, caused in Teheran. The Turks have responded to our message handsomely and at the same time have thrown a bouquet to the Shah of Iran. It remains to be seen whether anything like so cordial a response will be forthcoming from Iranian official sources and the press when we receive a report from you on this subject.

The purpose of the final paragraph of our telegram was to enable you to show the Turkish editorials to the Foreign Minister at his request and without appearing to press them upon him. If the situation so developed that he requested you to let him see them a useful purpose may have been served by acquainting him with the spirit of cordiality and good will that marks our relations with Turkey. Without dotting the i's or crossing the t's Turkish example in a matter of this kind may not be without its effect in Iran. We sincerely hope so in any case.

SEP 17 1937.

Sincerely yours,

WALLACE MURRAY

NE WSM/LS

DEPARTMENT OF STATE
RECEIVED
SEP 23 1937
DIVISION OF
COMMUNICATIONS AND RECORDS

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

ASSISTANT SECRETARY OF STATE
SEP 20 1937
MR. WILSON

September 18, 1937.

SECRETARY OF STATE
SEP 22 1937
NOTED

DEPARTMENT OF STATE
SEP 23 1937
126A
140A DIVISION OF
NEAR EASTERN AFFAIRS

S - Mr. Secretary

A-W - Mr. Wilson

711.00 Statement July 16, 1937

You will recall that on August 5, 1937, we instructed our Chargé d'Affaires ad interim at Istanbul to call on the Turkish Foreign Minister and tell him of the pleasure you had derived from observing that in the recently signed Middle Eastern Pact of Non-Aggression, the signatories (Turkey, Iraq, Iran and Afghanistan) had clearly put into practice among themselves the good neighbor policy as advocated by the United States and explained in your statement of July 16. Similar messages were also sent to the other signatories.

On August 8 the Chargé d'Affaires telegraphed that the Foreign Minister had professed to be much touched by your message and was happy to note the similarity which exists between policies of the United States and Turkey. The Foreign Minister then asked if your message might be given to the press and, upon reference to the Department, permission therefor was given.

SEP 23 1937

We are now in receipt of several despatches from the Embassy at Istanbul (nos. 326 and 333 of August 12 and 23) 711.00 Statement July 16, 1937/280 giving further details with regard to the Turkish reaction. Of particular interest in this connection is an editorial in

767.90G 12 NON-AGGRESSION/60

in La Republique over the signature of Yunus Nadi, semi-official spokesman for the Turkish Government, who in this particular case, according to an authoritative informant, appears to have had the material for his editorial dictated to him practically word for word by the Foreign Minister. The main points stressed in this inspired article were the following:

1. The fact that the United States, which always avoids interesting itself in affairs of countries outside the Western Hemisphere, should abandon its habitual reserve in order to express its appreciation and attitude relative to a pact concluded between Eastern countries is an event of importance in international relations.

2. The Turks are touched to note that high regard for the Turkish President is an element in American appreciation of the Pact. In due fairness, however, it is pointed out that the Shah of Iran was the person to whom credit is principally due for originating the idea of the Pact.

3. The message is interpreted as further emphasizing the mutual sympathy of President Roosevelt and President Ataturk, particularly in the cause of peace. The President's recent personal letter to Ataturk is recalled in this connection.

4. In seeking peace, the United States remains aloof from

from the troubles of Europe, at the same time maintaining, however, an armed force sufficiently strong for its needs. Turkey, being unhappily unable to divorce itself from the affairs of Europe, also seeks to maintain peace but in its own interest and that of peace in general, it must be sufficiently armed. At the same time Turkey seeks to collaborate with peace-seeking countries, as the present Pact bears testimony.

5. The article concludes on the following note:

> "There could be no mistake in regarding this gesture as a support for world calm and peace. It means that we have before us a proof that the United States, in fact both Americas, cannot remain indefinitely hesitant before questions of universal importance. It goes without saying that the United States and the two Americas must be inescapably affected when they see the peace menaced, one day in one country, another day in another. There must surely be a limit to non-intervention in conflicts unfavorably affecting world peace."

Wallace Murray

711.00 Statement July 16, 1937/280

NE RAH/EG

NOTE TRANSFERRED

TO

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LEC

767.90G 12 NON-AGGRESSION/61

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 356 Istanbul, September 21, 1937.

Subject: Semi-official comments on the Iranian Speech from the Throne: Turkish Appreciation of the Secretary's Congratulations on the conclusion of the Saadabad Pact.

DEPARTMENT OF STATE
A-M/C
OCT 12 1937
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OF STATE

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OCT 13 1937
DEPARTMENT OF STATE

DEPARTMENT OF STATE
OCT 6 1937
DIVISION OF NEAR EASTERN AFFAIRS

767.90G12 Non-Aggression/62

The Honorable

The Secretary of State,

Washington, D. C.

Sir:

1/ I have the honor to transmit a clipping from the September 14th issue of LA RÉPUBLIQUE, which consists of an editorial by Yunus Nadi (generally considered as the semi-official mouthpiece of the Turkish Ministry for Foreign Affairs) on a speech delivered by the Shah of Iran on the occasion of the recent opening of the Iranian Parliament.

It will be noticed that although Yunus Nadi has written his article in the guise of a tribute to the Shah, and "hastens to inform His Majesty . . . that there are in the world countries and nations which have greeted with satisfaction

FILED
OCT 13 1937

satisfaction the happy event which has taken place at Teheran, and that Turkey is in the first rank of such countries", in reality he uses the opportunity thus afforded to expatiate on the pacific value of the Saadabad Pact by which the signatories "have been harnessed to the ideal of peace; (an ideal) which, while constituting an honor and a glory for themselves, should at the same time be the loftiest ideal of mankind".

Turkey is proud of the Saadabad Pact as providing evidence of its will, and in this case also its ability, to have peaceful means and a peaceful outlook prevail in international relations. In this connection it should be stated that the Secretary's felicitations to Dr. Aras appear to have made a deeper impression than was perhaps at first perceived. The British Ambassador not long ago made a point of commenting on this fact, remarking that the Turks were "genuinely appreciative and very very pleased". It is of interest to note, since special mention of American "approval" is made in the penultimate paragraph of the enclosed clipping, that this favorable impression apparently persists.

Respectfully yours,

S. Walter Washington,
Chargé d'Affaires ad interim.

Enclosure:
1. Clipping from
LA RÉPUBLIQUE,
September 14, 1937.

Copy being sent to American Legation, Teheran.

800.1

JLB:KOS

Enclosure No. 1 to despatch No. 356 dated September 21, 1937, from the American Embassy at Istanbul, Turkey.

LA RÉPUBLIQUE - September 14, 1937.

Le discours de S. M. le Chahinchah au Parlement

Il est encore un point qui doit nous rasséréner, nous ne sommes pas seuls dans nos efforts appelés a faire honneur à l'humanité dans la voie de l'idéal de la paix

L'OUVERTURE du Parlement iranien se fit avec une cérémonie à laquelle assistait aussi le corps diplomatique au grand complet et on écouta respectueusement le discours fait par S. M. le Chahinchah, chef d'Etat de la nation voisine et grand ami du Président de la République, Atatürk. Nous nous empresserons d'informer Sa Majesté le Chahinchah et l'Iran voisin et ami qu'il y a dans le monde des pays et des nations qui ont accueilli avec satisfaction l'heureux événement qui s'est déroulé à Téhéran, et que la Turque se trouve au premier rang de ces pays.

Nous avons — les Turcs — embrassé et pressé avec émotion sur notre sein l'Iran placé sur la voie d'une civilisation nouvelle grâce à la main rénovatrice de S. M. Riza Pehlevi, comme on le ferait pour un frère qu'on aurait cru perdu et que l'on retrouverait soudain. Nous avouerons avec plaisir et respect que nous sommes redevables de ce rapprochement fraternel au grand coeur et à l'esprit éclairé de nos Grands Chefs qui sont aimés avec la même force dans nos deux pays. Les petits différends légués par les siècles et qui avaient revêtu un caractère chronique ont fondu entre leurs mains comme de la cire et c'est ainsi qu'il a été possible aux deux peuples frères de tomber dans les bras l'un de l'autre. Mais le grand secret de cette compréhension profonde réside principalement dans le fait que les deux pays se trouvent être entrés dans une vie nouvelle faite de progrès et de perfectionnement. Nous affirmons très sincèrement que jamais dans toute leur histoire, les deux pays n'ont été aussi forts et majestueux qu'ils le sont maintenant, car jamais jusqu'ici ils n'ont eu autant de volonté énergique et de discernement profond. Si aujourd'hui les deux parties considèrent avec un étonnement méprisant les raisons qui mettaient aux prises l'empire ottoman et l'Iran, cela provient de ce que nous regardons avec de nouveaux yeux l'horizon mondial qui s'est rétréci pendant que nous dormions et que nous voyons maintenant dans toute leur nudité une foule de vérités douces ou amères. Et c'est grâce à cette observation solide et à notre activité intelligente — qui en est le résultat naturel — que nous avons pu reprendre la place dévolue à nos

l'empire ottoman et l'Iran, cela provient de ce que nous regardons avec de nou - veaux yeux l'horizon mondial qui s'est rétréci pendant que nous dormions et que nous voyons maintenant dans toute leur nudité une foule de vérites douces ou amères. Et c'est grâce à cette observation solide et à notre activité intelligente — qui en est le résultat naturel — que nous avons pu reprendre la place dévolue à nos deux nations.

En parlant dans son discours de la politique extérieure, Sa Majesté Riza Pehlevi, partant du principe de l'attachement de l'Iran envers la cause de la paix, souli - gna avec satisfaction la solution des différends avec l'Irak voisin; puis il fit ressortir l'importance du pacte de Saadabad conclu entre l'Iran, l'Irak, l'Afghanistan et la Turquie. C'est pour nous un devoir très agréable de saisir cette occasion pour exposer à Sa Majesté, avec nos félicita - tions très respectueuses. que ce pacte, qui a provoqué l'admiration de tous et qui est l'une des plus belles oeuvres de l'humanité, se trouve être, en quelque sorte, l'oeuvre même de Sa Majesté. Le pacte de Saadabad est, pour nos deux grandes nations établies depuis toujours dans cette partie du monde, un gage de bonheur. Avec ce pacte, nous nous trouvons avoir attelé les deux Nations à l'idéal de la paix qui, tout en constituant un honneur et une gloire pour elles, devrait être, en même temps, l'idéal le plus élevé de l'humanité.

Ne remarque-t-on pas toujours plus clairement que les nations du monde se divisent en deux groupes : celles qui apprécient la valeur de la paix et celles qui la meconnaissent ? D'après nos principes à nous, la guerre ne peut être acceptée que comme une nécessité, et elle peut même devenir sacrée lorsqu'elle touche à notre existence et à nos intérêts nationaux. Mais pour l'humanité, la paix et ses règles sont le principal. Quoi de plus glorieux que de dépenser tous ses efforts à écarter la guerre et d'enraciner toujours plus pro - fondément la paix à la condition que les droits et les frontières de tous les pays soient placés sous sécurité ? C'est, d'ailleurs, parce que la Turquie d'Atatürk est attachée au principe — parmi tous les autres principes révolutionnaires — de voir les peuples collaborer pour sauvegarder la paix au moins chez eux et dans leur entourage que nous avons nous — Turcs — accueilli réellement avec de grandes appréciations les efforts dépensés par S. M. le Chahinchah en vue d'aboutir au pacte de Saadabad. C'est grâce à cela que nos peuples, qui sont établis sur une étendue immense qui confine aux plateaux du Pamir, se trouvent être devenus, pour ainsi dire, les citadelles vivantes de la paix, ne fut-ce que dans cette partie du

YUNUS NADI

(La suite en page 2 col. 6)

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, October 7, 1937.

No. 1141.

Subject: Communiqué re Council of Oriental Entente.

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The Honorable

The Secretary of State,

Washington, D. C.

Sir:

Referring to the Legation's despatch 1097 of July 14, 1937, and more particularly to the last paragraph on page 5 and to the first paragraph on page 6 thereof, I have the honor to report that the Iranian Government has issued a Communiqué to the effect that the "Council of the Oriental Entente" met at Geneva on September 21, 1937, under the chairmanship of Enayatollah Samiy, the

Iranian

767.90 G 12 NON-AGGRESSION/63

N-H

Iranian Minister of Foreign Affairs.

The Communiqué continues:

"The representatives of the four signatory powers of the Saadabad Pact (Afghanistan, Iraq, Iran, and Turkey) examined, in a very sincere spirit, important problems which are closely related to the mutual interests of these countries, and they reached a complete understanding regarding the points of view relating to these problems."

It is also announced that the Iranian Foreign Minister will make an official visit to Ankara and Baghdad on his return journey from Geneva, and that the Foreign Minister of Iraq will likewise stop over at Ankara for "special conversations".

The next meeting of the Council is to take place at Kabul in the late spring of 1938.

Respectfully yours,

C. Van H. Engert,
Chargé d'Affaires a.i.

File No. 710.-Triplicate.

CVHE/RJG.

çete, cemiyet veyahut teşekküllerin teessüsüne veya filiyata geçmelerine, kendi hududları dahilinde, mani olmayı taahhüd ederler.

Madde 8 — Yüksek Âkid Taraflar, kendi aralarında çıkabilecek bütün niza ve ihtilâfların, mahiyet ve menşeleri her ne olursa olsun, hal ve tesviyesi ancak muslihane vasıtalara müracaatla mümkün olabileceğini 27 ağustos 1928 tarihli harbden feragat muahedesile tanımış olduklarından bu hükmü teyid ile bu hususta kendi aralarında ittihaz olunmuş veya edilecek olan usullere müracaat edeceklerini beyan ederler.

Madde 9 — İşbu muahedenin hiç bir maddesi, Milletler Cemiyeti Paktı mucibince Yüksek Âkidlerin her biri tarafından derühde edilen vecibeleri, her ne hususta olursa olsun, tenkis eder mahiyette telâkki olunamaz.

Madde 10 — Fransızca ve dört nüsha olarak yazılan ve birer nüshası Âkid Devletlerden her biri tarafından alındığı tasdik edilen işbu muahede beş sene müddetle akdedilmiştir. Bu müddetin hitamında, Yüksek Âkidlerden biri tarafından altı ay evvel, mefsuhiyeti ihbar edilmedikçe muahede, bütün hükmü cari olmak üzere, yeniden daha beş sene müddetle temdid edilmiş sayılacak ve her hitam devresinde Yüksek Âkidlerden biri veya bir kaçı tarafından altı ay evvel feshi haber verilinciye kadar muteber olacaktır. Âkidlerden birile feshedilen muahede diğerleri arasında mer'iyette devam eder.

İşbu muahedename Yüksek Âkidlerin her biri tarafından kendi teşriî usulüne tevfikan tasdik edilecek ve Milletler Cemiyeti Genel Sekreterliğince kaydedilerek Cemiyetin diğer azasına keyfiyetin bildirilmesi rica olunacaktır.

Tasdiknameler, Yüksek Âkidlerin her biri tarafından İran Hükûmetine tevdi olunacaktır.

Tasdiknameler iki Yüksek Âkid Tarafından tevdi edilir edilmez işbu muahede bu iki Taraf arasında meriyete girecektir. Üçüncü ve dördüncü Âkid Tarafından da tasdiknameler tevdi ediliği zaman muahede bu üçüncü ve dördüncü ile de mer'i olacaktır.

Tasdiknamelerin her tevdiinde İran Hükûmeti tarafından bu muahedeyi imzalayanlara işbu tevdi keyfiyeti derhal haber verilecektir.

Tahranda, Sad - Abad Sarayında, sekiz temmuz bin dokuz yüz otuz yedi tarihinde akdedilmiştir.

Dr. Rüştü Aras
Faiz
Naji-Al-Asıl
Samiy.

Muhasebei Umumiye Kanununa ek kanun

Kanun No: 3325 *Kabul tarihi: 17/1/1938*

Madde 1 — Mukavelenameleri mucibince imtiyazlı şirketlerle müteahhidlerden teftiş mukabili alınan mebaliğin bütçe haricinde sarfı ve kadroda gösterilmeksizin bu kabil şirket ve müteahhidler nezdinde komiser veya fen memuru istihdamı caiz değildir. Ancak yeni akdolunan mukavelât dolayısile bir malî sene zarfında işe başlayan şirket ve müteahhidlerden teftiş mukabili alınacak mebaliğ bir taraftan varidat bütçesindeki tertibi mahsusuna irad kayıd diğer taraftan bu mebaliği tecavüz etmemek üzere İcra Vekilleri Heyetince tasdik olunacak kadro dairesinde komiser veya fen memuru bittayin ücretleri mensub oldukları daire bütçesinin müstahdemini daime tertiblerine tahsisat olarak ilâve ve tesviye olunur. Bunlardan müteakib malî sene bütçesinin tanziminden evvel tayin olunanların o sene kadrolarına ve bütçenin tanzimınden sonra tayin olunanların ikinci müteakib sene kadrolarına ithali mecburidir.

Madde 2 — Varidat bütçesinde nâzım varidat unvanı altında bir kısım açılmıştır. Bu kısma Maliye Vekâletince hususî kanunları mucibince diğer Devlet daireleri nam ve hesabına cibayet edilip bu dairelere verilecek varidat kaydolunur.

Nâzım varidat hesabında kayıdlı varidat Maliye Vekâleti masraf bütçesinde açılmış olan hususî fasıldan alâkadar dairelere tediye edilir.

Madde 3 — Daire bütçelerinde seferberlik âdile birer rakamsız fasıl açılır. Bu fasıllara seferberlik hizmetleri için icab eden tahsisat İcra Vekilleri Heyeti kararile diğer fasıllardan münakale yapılmak suretile temin olunur. Bu maddenin hükmü mülhak bütçelere de şamildir.

Madde 4 — 1050 sayılı Muhasebei Umumiye Kanununun 47 nci maddesine aşağıdaki fıkra eklenmiştir:

(Maaşatı zatiye düyunu dahi bu maddedeki esasa tevfikan cari sene bütçesinden verilir).

Madde 5 — Bu kanun 1 haziran 1938 tarihinden muteberdir.

Madde 6 — Bu kanun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

22/1/1938

3814 sayılı Resmi Gazetede münderiç 3321 numaralı kanun haşiyesine bakınız.

Ziraat Vekâleti Vazife ve Teşkilât Kanununa ek kanun

Kanun No: 3326 *Kabul tarihi: 17/1/1938*

Madde 1 — 1/6/1937 tarih ve 3203 sayılı Ziraat Vekâleti vazife ve Teşkilât Kanununun 17 nci maddesine bağlı (1) sayılı cetvelin hukuk müşavirliği kısmında yazılı (hukuk müşavir muavini) unvanı (hukuk müşaviri) şeklinde değiştirilmiştir.

Madde 2 — Bu kanun neşri tarihinden muteberdir.

Madde 3 — Bu kanunun hükümlerini icraya Ziraat Vekili memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmi Gazete Sayı
3203	Ziraat Vekâleti vazife ve teşkilât kanunu	3	18	1153	3636

Kaçakçılığın Men ve Takibi hakkındaki kanunun bazı maddelerini değiştiren 2550 sayılı kanunun ikinci maddesine bir fıkra eklenmesi hakkında kanun

Kanun No: 3327 *Kabul tarihi: 17/1/1938*

Madde 1 — Kaçakçılığın men ve takibi hakkındaki 1918 sayılı kanunun 57 ve 60 ncı maddelerini değiştiren ve bu kanuna bir madde ekliyen 2550 sayılı kanunun ikinci maddesine aşağıdaki fıkra eklenmiştir:

Bu madde mucibince gümrük kaçağı eşya bedeli ile kaçak altınların değerinden ve bunların para cezalarından tazminat karşılığı olarak Hazinece irad kaydedilen yüzde yirmiler Gümrük ve İnhisarlar Vekâleti masraf bütçesindeki tazminat tertibine tahsisat olarak ilâve olunur.

Madde 2 — Bu kanun 1 haziran 1938 tarihinden muteberdir.

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, October 27, 1937.

No. 1148.

Subject: Saadabad Pact and Treaties with Iraq submitted to Parliament.

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ADVISER ON POLITICAL RELATIONS
MR. DUNN
JAN 20 1938
DEPARTMENT OF STATE

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A-M/C
JAN 25 1938
ASSISTANT SECRETARY OF STATE

767.90G12 non-aggression
note

TREATY DIVISION
JAN 26 1938
DEPARTMENT OF STATE

767.90G12 NON AGGRESSION/65
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JAN 27 1938

The Honorable

The Secretary of State,

Washington.

Sir:

Referring to the Legation's despatches No. 1097 of July 14, and No. 1103 of July 28, 1937, I have the honor to transmit herewith in translation the text of three communications which the Prime Minister and the Acting Minister of Foreign Affairs addressed to the Majlis (Iranian Parliament) under

date

date of October 12, 1937, submitting for ratification, respectively, the Saadabad Pact of July 8, 1937, the Frontier Treaty with Iraq of July 4, 1937, and the so-called Arbitration Treaty with Iraq of July 22, 1937.

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It will be observed that, for some reason which is not clear, the Treaty of Friendship with Iraq of July 18, 1937, which was also signed in Teheran (see pp. 10-11 of the Legation's despatch No. 1103, July 28, 1937) is not included among the treaties submitted for ratification.

The three treaties which are transmitted to the Majlis will doubtless be ratified very shortly and the Department will be duly informed of the date of their ratification. In the meantime the Department may be interested in the brief statements of motives which precede each recommendation for ratification and which reiterate the Iranian Government's belief in the pacific solution of all international differences.

Since the signing of the Four-Power Treaty last July the international situation, especially in the Far East, has become so much worse that the Iranian Government feels more than ever convinced of the wisdom of providing additional guarantees, within the framework of the League and the Kellogg Pact, to assure peace and security at least in Western Asia. By promising to abstain from any acts of aggression aimed at their territorial integrity or their political independence, the four neighbors are trying to create a solidarity of opinion in favor of peace which, despite racial differences and vast distances, should have a tranquilizing effect of great value.

Respectfully yours,

C. Van H. Engert
Chargé d'Affaires a.i.

Enclosures:

Enclosures:

1. Bill re Ratification of Saadabad Pact.
5 2. Bill re Ratification of Frontier Treaty with Iraq.
3. Bill re Ratification of Arbitration Treaty with Iraq.

File No. 710.-Triplicate.

CVHE/RJG.

Enclosure No. 1 with Despatch No. 1148 of October 27, 1937, from the American Legation, Teheran.

(Translation)

Bill Submitted to the Majlis October 12, 1937, for the Ratification of the Saadabad Pact.

To the National Parliament of Iran:

One of the primordial measures of real and practical importance which, in international relations, is adopted to oppose war and bloodshed - a measure resorted to by all governments wishing to assure themselves of peace - is the conclusion of treaties of non-aggression.

Whereas the Imperial Government is a confirmed partisan and advocate of a pacific policy and considers respect for the sovereignty of governments as the duty of every nation for the maintenance of international relations and the prevention of war; in order to support and guarantee these principles and particularly to render service to the cause of international peace, it entered into pourparlers some time ago with the Royal Government of Iraq, the Government of the Republic of Turkey, and the Royal Government of Afghanistan for the conclusion of a treaty of non-aggression.

The execution of this idea was received very favorably by the neighboring governments and a treaty of non-aggression, which was called the Pact of Saadabad, was concluded between the Imperial Government and the Governments of Afghanistan, Turkey, and Iraq.

The French text and the Persian translation of this Pact are presented to the Parliament, as well as the following sole Article for its approval:

Sole Article. The National Parliament of Iran ratifies

the

the Treaty of non-aggression between the Imperial Government of Iran, the Royal Government of Afghanistan, the Government of the Republic of Turkey, and the Royal Government of Iraq. This treaty consists of ten articles and was signed at the Palace of Saadabad on the 8th day of July, 1937.

The Prime Minister:
Mahmoud Djam

The Acting Minister
of Foreign Affairs:
Adl

the Treaty of non-aggression between the Imperial Government of Iran, the Royal Government of Afghanistan, the Government of the Republic of Turkey, and the Royal Government of Iraq. This treaty consists of ten articles and was signed at the Palace of Saadabad on the 8th day of July, 1937.

The Prime Minister:
Mahmoud Djam

The Acting Minister
of Foreign Affairs:
Adl

Enclosure No. 2 with Despatch No. 1148 of October 27, 1937, from the American Legation, Teheran.

(Translation)

Bill Submitted to the Majlis October 12, 1937, for the Ratification of the Frontier Treaty with Iraq.

To the National Parliament of Iran:

The honorable deputies are thoroughly informed with regard to the Irano-Iraqi frontier differences, the dispute having been referred by the two interested governments to the League of Nations for solution.

Happily, in view of the sincerity of the sentiments existing between the Imperial Government and the Government of Iraq, and in view moreover of the evident and assured good will of the two parties for the favorable solution of this frontier dispute, everything necessary was done for the solution of this question and a frontier treaty was successfully concluded which put an end to all the frontier differences between the two countries.

I submit to you the Persian and French texts of this treaty, both texts being valid. I request the ratification of the sole Article which follows:

Sole Article. The National Parliament of Iran ratifies the Frontier Treaty between the Imperial Government of Iran and the Royal Government of Iraq. This treaty, which comprises six articles and one protocol, was signed at Teheran on July 4, 1937.

The Prime Minister: Mahmoud Djam

The Acting Minister of Foreign Affairs: Adl

Enclosure No. 3 with Despatch No. 1148 of October 27, 1937, from the American Legation, Teheran.

(Translation)

Bill Submitted to the Majlis October 12, 1937, for the Ratification of the Arbitration Treaty with Iraq.

To the National Parliament of Iran:

As the honorable deputies are aware, one of the efficacious means of real value which is today employed in international relations for the elimination of differences between two governments is the medium of arbitration and a legal solution of differences by means of an understanding. Whereas in its international relations the Imperial Government is a partisan of the solution of differences by means of pacific agreement, in accordance with this principle and with a view to the consolidation of the friendly relations existing between the two countries, a treaty for the amicable solution of differences has been concluded between the Imperial Government and the Royal Government of Iraq.

I present to you the French text and the Persian translation of the said Treaty and a sole Article, with a view to its ratification.

Sole Article. The Parliament ratifies the Treaty for the Amicable Solution of Differences between the Imperial Government of Iran and the Royal Government of Iraq. This treaty, which comprises 24 articles, was signed at Teheran on the 22nd day of July 1937.

The Prime Minister: Mahmoud Djam

The Acting Minister of Foreign Affairs: Adl

LEGATION OF THE
UNITED STATES OF AMERICA
Baghdad, Iraq, December 10, 1937.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
JAN 14 1938
DEPARTMENT OF STATE

No. 910 - Diplomatic

Subject: Protest of Kurdish Youth against the Sa'adabad Pact.

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DEPARTMENT OF STATE
A-M/C
JAN 12 1938
ASSISTANT SECRETARY
OF STATE

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

With reference to the Legation's despatch No. 845 of August 5, 1937, enclosing the English text of the Near Eastern or Sa'adabad Pact signed at Teheran on July 8, 1937, I have the honor to enclose as of possible interest a translation of a circular letter addressed to the Legation by "The Kurdish Youth". The letter attacks the Pact, asserting that it is directed against the Kurds, and requests the assistance of other nations

in

767.90G12 NON AGGRESSION/66
FILED
JAN 14 1938

in protecting them.

Respectfully yours,

P. Knabenshue

Enclosure:

Translation of protest.

File No. 840.1
JCS/jnc.

Copy to American Embassy, Istanbul
" " American Legation, Teheran.

Enclosure to despatch No. 910 - Diplomatic - of December 10, 1937 from American Legation at Baghdad, Iraq.

Translation

Excellency:

767.90G12 N-A/66

The Eastern Pact (Sa'adabad) between Turkey, Iran, Afghanistan and Iraq is meant for the extermination of the Kurds. The undisputable proof of what we say is the following text which we have read in "Al-Alam ul-Arabi" No. 4053 of November 18, 1937: "That the Asiatic pact aims at preventing the Kurdish cause from becoming a cause of disputes between Turkey, Iran and Iraq owing to the fact that each of them contains a number of Kurdish minorities. These countries have met with some difficulties as a result of the activities of these mountaineers."

767.90G12 NON-Aggression/166

This is neither just nor fair because the Kurds are a historical remnant. They are the descendants of those nations who inhabited the mountains lying between Turkey, Iraq, Syria, the Caucasus, Iran and Russia, who have clung to their traditions, belief, language and dress for about 44 centuries. They are the people of endless revolutions and great courage. They have helped the Turks and actively shared in the development of the Islamic civilization. They have defended the Mohammedan religion with all their might and have sacrificed for if their souls and property. They joined the Allies in order to give them (the Turks and Arabs) their denied rights at a time when they were indignant at their plight of humiliation and slavery and when they were longing for freedom and independence.

They have the same right for freedom as the others. Is it human and fair, after the bitterness which the Kurds have suffered from the Turks and other nations in the form of repressions, looting, murder, colonization, the burning of hundreds of villages with their innocent inhabitants and the forcing of tens of thousands, barefooted and clothless, to migrate in the freezing cold of winter to the farther ends of Turkey, that the pact of Sa'adabad should harbor evil intentions towards the Kurds, and that its results should be a series of savage and calamitous incidents and the cause for the disturbance of peace among the peoples of Asia Minor and in fact of all Asia? Is this our aim at international peace and is this the program of the League of Nations? Where is the Treaty of Sevre? Where are the rights of minorities? Is modern civilization paving the road for the extermination of the Kurds who have lived thousands of years without having submitted to any power and authority, or for shedding the blood of peoples which once were highly advanced and energetic?? - peoples of a bright future and glorious past? Are we not in the 20th century and human beings like others??

We therefore emphatically protest against this Pact. In the name of universal peace and the Preserver

of

of Humanity and Civilization we beg you to listen to our appeal in order to prevent the shedding of innocent blood and to save the poor and miserable. We beg you to convey to your noble nation, in the name of humanity, our best thoughts and intentions and we also beg you not to disregard our rights as others have, for you are more anxious to exercise justice than are we.

We beg you to print our protest in your respectable publications in order that it may be an example for righteousness and guidance. In conclusion please accept our sincere thanks and high respects. Command and honor be to you.

The Kurdish Youth.

Trans: JNC

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, January 4, 1938.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
MAR 9 1938
DEPARTMENT OF STATE

No. 1202.

Subject: Under Secretary of Foreign Affairs leaves for Geneva.

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MAR 10 1938

The Honorable

The Secretary of State,

Washington.

FILED
MAR 14 1938

Sir:

I have the honor to report that Mr. Mostafa Adl, Under Secretary of Foreign Affairs, left here on January 1st for Geneva where he will represent the Iranian Government as delegate to the next meeting of the Council of the League of Nations.

It will be recalled in this connection that last September

767.90G12 NON-AGGRESSION/67

ber Iran secured the seat on the Council of the League which was vacated by Turkey and will hold it until September 1940. This is in accordance with the wish expressed by the "Council of the Oriental Entente" (see Legation's despatch No. 1097, July 14, 1937, pp. 5-6) that Iran's candidacy should be supported, and thus constitutes the first concrete result of the Saadabad Pact. Afghanistan and Iraq are now hoping to succeed Iran on the League Council.

767.909 12. non aggression/53

Incidentally, I hear at the Foreign Office that the Ministers of Foreign Affairs of the four signatory powers are to meet at Kabul in April or May 1938.

Confidential. Since the signing of this Four-Power Pact last summer Iran has felt herself freer than ever from what she calls the "patronage" of the Great Powers. The Shah, as is well known, has for many years been assuming the rôle of the protector of his country against "foreign intrigues" and the "predatory imperialistic designs" of "certain" Powers, which could only be Soviet Russia and Great Britain. Inspired and encouraged by the Ataturk he was instrumental in establishing a Western Asiatic Entente in the hope of providing unity of action in support of a limited collective system.

In the course of a brief conversation I had with the Under Secretary shortly before his departure he told me that Iran wanted to live at peace with all her neighbors, and that just as her pacific foreign policy was an element of security to the neighboring states so the Saadabad Pact - by bringing about an increased and deeper sense of relationship among the signatories - had given Iran stronger guarantees than she had ever had before for her own independence and security.

I have

I have also observed a distinct desire on the part of Iranian officials to give the impression that this country was destined to play a leading rôle in the Middle East by virtue of her progressive example in the realm of internal reforms. And on the other hand there seems to be a pious wish that through the Saadabad Pact and Turkey (which is a member of the Balkan Union) it might perhaps be possible to link Iran up with Europe and thus have her weight count for a little more in all future endeavors for the preservation of peace.

Respectfully yours,

C. Van H. Engert
Chargé d' Affaires a.i.

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NOTE

767.90G 12 NON-AGGRESSION/68

119

SEE 890g.00 General Conditions/X FOR #938

FROM Iraq (Knabenshue) DATED Jan. 22, 1938

TO NAME

1—1127 GPO

REGARDING: Conference of the Near Eastern Countries at Kabul.
Turkish Foreign Minister, Dr. Rustu Aras, will visit Kabul at end of February to participate in the -.
Conference will take place between signatories of the Saadabad Pact.

lec

II

INTERNATIONAL SECTION

2. TURKEY TO PARTICIPATE IN CONFERENCE OF NEAR EASTERN COUNTRIES.

A telegram dated January 5, was received from Ankora stating that Dr. Rustu Aras, the Turkish Foreign Minister, intends to visit Kabul at the end of February next to participate in the conference of the Near Eastern Countries. He will pass through Baghdad on his way to Kabul.

767.70g12 non-aggression

-- Al-Bilad, January 7, 1938.

Comment: This conference is to take place between the signatories of the Saadabad Pact.

LEGATION OF THE
UNITED STATES OF AMERICA

Baghdad, Iraq, January 27, 1938.

Despatch No. 944

Subject: Transmitting the Official French Text of the Near Eastern Sa'adabad Pact.

DIVISION OF POLITICAL RELATIONS
MAR 21 1938
DEPARTMENT OF STATE

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MAR 7 1938
DIVISION OF
NEAR EASTERN AFFAIRS

The Honorable

The Secretary of State,

Washington, D.C.

Sir:

I have the honor to refer to despatch No. 845 - Diplomatic of August 5, 1937, concerning the Near Eastern Non-Agression Pact of Sa'adabad and other treaties between Iraq and Iran, and to enclose a

1/ copy of the French text of the Four-Power Sa'adabad Pact signed at Teheran on July 8, 1937, by Iraq, Afghanistan, Iran and Turkey. In this connection, reference is also made to despatch No. 299 of July 14, 1937, from the American Embassy at Istanbul.

This text has been received from the Iraqi Ministry for Foreign Affairs, which states that an

English

767.909 12 NON AGGRESSION/69
FILED
MAR 21 1938

English version is not available in as much as the official language of the Treaty is French.

The Iraqi Ministry for Foreign Affairs also states that the formalities incident to ratification of the Pact have not yet been completed.

Respectfully yours,

P. Knabenshue

P. Knabenshue

Enclosure:

Four-Power Sa'adabad Pact - Iraq - Iran - Afghanistan and Turkey.

File No. 710

WB/gkm

(Enclosure to Despatch No. 944 dated January 27, 1938
from American Legation, Baghdad, Iraq.)

TRAITE DE NON AGRESSION

PREAMBULE.

Sa Majesté le Roi de l'Irak,

Sa Majesté le Roi de l'Afghanistan,

Sa Majesté Impériale le Schahinschah de l'Iran,

Son Excellence le Président de la République Turque;

Désireux de contribuer par tous les moyens en leur pouvoir au maintien des relations d'amitié et de bonne entente entre eux;

Animés du dessein d'assurer la paix et la sécurité dans le Proche Orient au moyen de garanties additionnelles dans le cadre du Pacte de la Société des Nations, et de contribuer ainsi à la paix générale;

Pénétrés de leurs obligations en vertu du Traité de renonciation à la guerre signé à Paris le 27 août 1928 et des autres traités auxquels ils sont parties, qui sont tous en harmonie avec le Pacte de la Société des Nations et le Traité de renonciation à la guerre;

Ont décidé de conclure le présent Traité et ont, dans ce but, nommé:

Sa Majesté le Roi de l'Irak
Son Excellence Dr. Naji al Asil, Ministre des Affaires Etrangères de l'Irak;

Sa Majesté le Roi de l'Afghanistan
Son Excellence Faiz Mohammad Khan, Ministre des Affaires Etrangères;

Sa Majesté Impériale le Schahinschah de l'Iran
Son Excellence Aghai Samii, Ministre des Affaires Etrangères de l'Iran.

Le Président de la République Turque
Son Excellence le Dr. Tevfik Rüstü Aras, Ministre des Affaires Etrangères de Turquie,

qui, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont convenu des dispositions suivantes.

Article 1er.

Les Hautes Parties Contractantes s'engagent à poursuivre une politique d'abstention de toute ingérence dans leurs affaires intérieures.

Article 2.

Les Hautes Parties Contractantes s'engagent expressément à respecter l'inviolabilité de leurs frontières communes.

./.

Article 3.

Les Hautes Parties Contractantes conviennent de se consulter dans tous les conflits d'ordre international ayant trait à leurs intérêts communs.

Article 4.

Chacune des Hautes Parties Contractantes s'engage vis-à-vis de l'autre à ne recourir en aucun cas, soit isolément, soit conjointement avec une ou plusieurs tierces Puissances, à aucun acte d'agression dirigé contre l'une d'Elles.

Sont considérés comme actes d'agression;

1o - La déclaration de guerre;
2o - L'invasion, par les forces armées d'un Etat, même sans déclaration de guerre, du territoire d'un autre Etat;

3o - L'attaque, par les forces terrestres, navales ou aériennes d'un Etat, même sans déclaration de guerre, du territoire, des navires ou des aéronefs d'un autre Etat;

4o - L'aide ou assistance, soit directe, soit indirecte, à l'agresseur.

Ne constituent pas des actes d'agression:

1o - L'exercice du droit de légitime défence, c'est-à-dire la résistance à un acte d'agression tel qu'il est défini ci-dessus;

2o - L'action en application de l'art. 16 du pacte de la Société des Nations;

3o - L'action en raison d'une décision prise par l'Assemblée ou par le Conseil de la Société des Nations, ou en application de l'art. 15 paragraphe 7 du Pacte de la Société des Nations, pourvu que dans ce dernier cas cette action soit dirigée contre l'Etat qui le premier s'est livré à une attaque;

4o - L'action d'aide à un Etat soumis à l'attaque, l'invasion ou le recours à la guerre par une autre des Hautes Parties Contractantes, contrairement au Traité de renonciation à la guerre signé à Paris le 27 août 1928.

Article 5.

Si l'une des Hautes Parties Contractantes estime qu'une violation de l'article 4 du présent Traité à été ou est sur le point d'être commise, elle portera immédiatement la question devant le Conseil de la Société des Nations.

La disposition qui précède ne porte pas atteinte au droit de cette Haute Partie Contractante de prendre toutes mesures qu'elle juge nécessaires dans ces circonstances.

./.

Article 6.

Si l'une des Hautes Parties Contractantes se livre à une agression contre une tierce Puissance, l'autre Haute Partie Contractante pourra, sans préavis, dénoncer le présent Traité vis-à-vis de l'agresseur.

Article 7.

Chacune des Hautes Parties Contractantes s'engage à prévenir, dans ses limites respectives, la formation ou l'action de bandes armées, associations ou organisations pour le renversement des institutions établies, en vue de porter atteinte à l'ordre ou à la sécurité de toute partie, frontalière ou autre, du territoire de l'autre Partie ou en vue de porter atteinte au régime de gouvernement de cette autre Partie.

Article 8.

Les Hautes Parties Contractantes ayant déjà reconnu dans le Pacte général de renonciation à la guerre du 27 août 1928 que le réglement ou la solution de tous les différends ou conflits, quelle que soit leur nature ou leur origine, qui pourront surgir entre elles, ne devra jamais être recherché que par des moyens pacifiques, confirment cette disposition et déclarent s'en référer aux procédures créés ou à créer à cet égard entre les Hautes Parties Contractantes.

Article 9.

Aucun des articles du présent Traité ne peut être considéré comme diminuant en quoi que ce soit les obligations assurées par chacune des Hautes Parties Contractantes en vertu du Pacte de la Société des Nations.

Article 10.

Le présent Traité, rédigé en français, signé en quatre exemplaires, dont chacune des Hautes Parties Contractantes reconnait avoir reçu l'un, est conclu pour la durée de cinq années.

A l'expiration de ce délai, à moins qu'une des Hautes Parties Contractantes n'ait notifié sa dénonciation avec préavis de six mois, le Traité sera considéré comme renouvelé de plein droit pour une nouvelle période de cinq ans, et, d'époque en époque, jusqu'à ce qu'une ou plusieurs des Hautes Parties Contractantes ait notifié sa dénonciation, avec préavis de six mois. Le Traité, dénoncé avec l'une des Parties, continue à exister entre les autres.

Le présent Traité sera ratifié par chacune des Hautes Parties Contractantes conformément à sa Constitution, et enregistré à la Société des Nations par le Secrétaire Général, qui sera prié d'en donner connaissance aux autres membres de la Société.

./.

Les instruments de ratification seront déposés par chacune des Hautes Parties Contractantes auprès du Gouvernement iranien.

Aussitôt que les instruments de ratification auront été déposés par deux Hautes Parties Contractantes, le présent Traité entrera en vigueur entre ces deux Parties. Il entrera en vigueur avec la troisième quand celle-ci déposéra l'instrument de ratification et ainsi avec la quatrième.

Chaque dépôt des instruments de ratification sera immédiatement notifié par le Gouvernement de l'Iran à tous les signataires du présent Traité.

Fait au Palais de Saadabad (Téhéran), le 8 Juillet, 1937.

Sé: Naji Al Asil

Sé: Faiz Mohammad

Sé: Samiy

Sé: Dr. T.R. Aras

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, January 25, 1938.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
MAR 17 1938
DEPARTMENT OF STATE

No. 1220.

Subject: Ratification of the Saadabad Pact by Turkey and Afghanistan.

6
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MAR 17 1938
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EUROPEAN AFFAIRS
MAR 19 1938
DEPARTMENT OF STATE

DEPARTMENT OF STATE
MAR 7 1938
DIVISION OF
NEAR EASTERN AFFAIRS

TREATY DIVISION
MAR 22 1938
DEPARTMENT OF STATE

767.90G12/NON AGGRESSION/70
FILED
APR 7 1938

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to report that on the occasion of the ratification on January 14, 1938, of the Eastern Four-Power Pact by Turkey the Iranian Minister of Foreign Affairs received a telegram from Dr. T. Rushdi Aras, the Turkish Foreign Minister, from which I quote the following

ing passage:

> "It is with the greatest joy that I seize this happy occasion to reiterate to Your Excellency the assurances of my faithful friendship and to tell you how very much honored I feel to have put my signature to this Pact of fraternal amity, inspired by the august initiative of His Majesty the Shahinshah and concluded under his high patronage at his Palace of Saadabad".

Mr. Samiy replied on January 19th and the pertinent portion of his telegram is likewise quoted:

> "I am very happy to say that the Pact of Saadabad, to the conclusion of which Your Excellency has so worthily contributed, has served to cement the multiple and indissoluble ties of fraternal friendship which so happily exist between the noble Turkish nation, guided by the far-sighted spirit of its illustrious Chief the high-minded Ataturk, and the Iranian nation".

I also have the honor to report that on January 22, 1938, the Afghan Parliament ratified the Saadabad Pact, and on this occasion too congratulatory telegrams were exchanged between the respective Foreign Ministers, although couched in notably briefer language than the above.

Note 767.90H12 Non-aggression

Referring to the Legation's despatch No. 165 1148 of October 27, 1937, it seems that the Iranian Majlis is waiting for the ratification by Iraq of the Frontier Treaty of July 4, 1937 (see Legation's despatch No. 157 1103, July 28, 1937) before ratifying the Four-Power Pact, as Iran has always considered the settlement of her ancient boundary dispute with Iraq as a sine qua non of her entering any Middle Eastern Entente. I am told by the Iraqi Minister in Teheran that he expects the Iraqi Parliament to ratify both the Frontier Treaty and the Saadabad Pact in the near future. He states that ratification was unavoidably delayed by the recent overthrow of the Government in Iraq.

Note 790B.9115

Respectfully yours,

C. Van H. Engert.

C. Van H. Engert
Chargé d' Affaires a.i.

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File No. 710-Triplicate.

Copy to Embassy, Istanbul.

Copy to Legation, Baghdad.

CVHE/RJG.

EMBASSY OF THE
UNITED STATES OF AMERICA

Ankara, February 21, 1938.

No. 544

Subject: The Sad'abad Pact.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to this Embassy's despatch No. 299 of July 14, 1937, with which was forwarded a translation of the Treaty of Sad'abad as published in the Istanbul daily LE JOURNAL D'ORIENT of July 11, 1937.

The Pact was ratified by the Turkish Grand National
1/ Assembly on January 22, 1938, and there is transmitted herewith a copy of OFFICIAL GAZETTE No. 3819 of January 27, 1938, containing the law accepting and ratifying the Treaty, to which is attached a Turkish translation of the Treaty.

2/ An English translation of the Law is enclosed.

3/ There are also enclosed (1) a copy of the French text

767.90G12 NON-AGGRESSION/71

ADVISER ON POLITICAL RELATIONS MAR 23 1938 DEPARTMENT OF STATE

DIVISION OF EUROPEAN AFFAIRS MAR 25 1938 DEPARTMENT OF STATE

TREATY DIVISION MAR 11 1938 DEPARTMENT OF STATE

DEPARTMENT OF STATE MAR 22 1938 DIVISION OF NEAR EASTERN AFFAIRS

DIVISION OF COMMUNICATIONS AND RECORDS

ASSISTANT SECRETARY OF STATE MAR 28 1938 DEPARTMENT OF STATE A-M/C

DEPARTMENT OF STATE DIVISION OF COMMUNICATIONS AND RECORDS PUBLICATIONS SECTION MAR 10 1938 Copy of accompanying documents stamped to be returned to DCR

FILED MAR 23 1938

of the Treaty, made from a certified copy of the original furnished to this Embassy by the Turkish Ministry for
4/ Foreign Affairs, and (2) an English translation, made in the Embassy.

Respectfully yours,

Robert F. Kelley

Robert F. Kelley,
Chargé d'Affaires a. i.

Enclosures:

1. OFFICIAL GAZETTE No. 3819, (2 copies) of January 27, 1938.
2. English translation of Law ratifying the Treaty.
3. Copy of French text of the Treaty.
4. English translation of French text of Treaty.

710
SWW/rs

Copy sent to Legations at Baghdad and Teheran and Consulates at Geneva and Karachi.

Enclosure No. 1 to Despatch No. 544 dated
February 21, 1938, from the Embassy at Ankara.

T.C.
Resmî Gazete

Tesis tarihi: 7 Teşrinievvel 1336 - 1920

İdare ve yazı işleri için Başvekâlet Neşriyat ve Müdevvenat Dairesi Müdürlüğüne müracaat olunur	27 KÂNUNUSANİ 1938 PERŞEMBE	SAYI: 3819

KANUNLAR

(1334 - 1918) dahilî istikraz tahvillerinin (1938) ikramiyeli tahvillerile ve (1933) Türk borcu tahvillerinin de dahilî istikraz tahvillerile mübadelesine dair kanun

Kanun No: 3322 *Kabul tarihi: 14/1/1938*

Madde 1 — Halen tedavülde bulunan (1334 - 1918) dahilî istikraz tahvillerini faiz, ikramiye, itfa, konversiyon, müruru zaman, muafiyet, imtiyaz ve servis itibarile 2094 numaralı kanuna müsteniden ihraç edilen Ergani tahvillerinin ayni olmak üzere yeniden çıkarılacak hâmiline muharrer tahvillerle mübadeleye Maliye Vekili mezundur.

(1334-1918) dahilî istikraz tahvillerinin 1 mayıs 1938 tarihli kuponları tediyeye vazedilmeyecek ve buna mukabil bu tarihten itibaren bu tahvillerin yeni tahvillerle mübadelesi icra kılınacaktır.

Madde 2 — Yeni tahviller ikramiyeli (1938) tahvilleri unvanını taşıyacak ve mikdarı 1918 tahvillerinin tedavülde bulunan mikdarını geçmeyecektir.

Madde 3 — Bu kanunun neşri tarihinden itibaren iki sene zarfında 1933 Türk borcu tahvilleri hâmilleri, diledikleri takdirde, bunların Devletin dahilî istikraz tahvilleri ile mübadelesini taleb edebilirler. Mübadelede 500 frank itibarî kıymette bir aded 1933 Türk borcu tahvili mukabilinde yirmi lira itibarî kıymette bir aded dahilî isitkraz tahvili verilir. Mübadeleye arzedilecek Türk borcu tahvilleri ile bunlar mukabilinde verilecek Devlet tahvillerinin mübadele tarihinde vadeleri hulûl etmeyen kuponları muhtevi olması lâzımdır.

Madde 4 — Bu mübadeleyi 2794 numaralı kanun ile kurulmuş olan Amortisman Sandığı mevcudile yapar. Sandık mübadele yolile verilecek dahilî istikraz tahvillerinden hangilerinin verilmesi lâzım geldiğini mevcuduna göre tayin etmek salâhiyetini haizdir.

Madde 5 — Halen Hazinede mevcud olup bir cihete tahsis edilmemiş olan Hazine malı 1918 dahilî istikraz tahvilleri Amortisman Sandığına devrolunur.

Bu tahvillerin bütçeden ödenecek mayıs taksiti de yine bu sandığa verilir. Ancak 1938 tahvillerinin tabı ve ihraç masrafları da bu paradan tefrik edilir.

Gerek 1933 Türk borcu tahvillerinin gerek Anadolu demiryolu esham ve tahvilâtının mübadelesini kolaylaştırmak maksadile Amortisman Sandığına yeniden iki milyon liraya kadar Hazinece avans verilir. Sandık bu avansları bilâhare portföy gelirlerile kapatır.

Madde 6 — Bu kanun neşri tarihinden muteberdir.

Madde 7 —Bu kanunun icrasına Maliye Vekili memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	R. G. Sayısı
2094	İkramiyeli dahili istikraz akdi kanunu	3	14	117	2
2794	Amortisman sandığı hakkında kanun	3	16	1488	2
3136	Anadolu demiryolları ve Haydarpaşa liman şirketleri esham ve tahvil ve mümessil senedlerinin Sivas - Erzurum veya Ergani tahvillerile mübadelesine ve amortisman sandığı hakkındaki 2794 numaralı kanuna bazı hükümler ilâvesine dair kanun	3	18	413	35
3248	2794 numaralı kanuna bazı hükümler ilâvesine dair olan 3136 numaralı kanuna ek kanun	3	18	1379	363

2887 sayılı kanunun tadiline dair kanun

Kanun No: 3323 *Kabul tarihi: 14/1/1938*

Madde 1 — 2887 sayılı kanunun 1 inci maddesi aşağıda yazıldığı şekilde değiştirilmiştir:

Tunceli Vilâyeti halkından olup da her ne sebeple olursa olsun şimdiye kadar gizli kalanlarla doğum, ölüm, evlenme, boşanma ve kayıp vakalarını yazdırmamış olanlar hakkında, 2576 sayılı kanun hükümlerine göre tayin edilmesi lâzım gelen cezalar affolunmuştur.

Bu kanunun tatbiki müddetince yukarıda yazılı işlerden dolayı takibat yapılmaz ve verilecek nüfus cüzdanlarından cüzdan bedeli, harç ve damga resmi alınmaz.

Bu vilâyet ahalisinden naklihane ve tebdili mekân vukuatını yaptırmamış olanlardan alınması lâzımgelen cezalar da affedilmiştir.

THIS DOCUMENT MUST BE RETURNED TO THE
DIVISION OF COMMUNICATIONS AND RECORDS

Madde 2 — (2576) sayılı kanunun pulsuz ve cezasız tescile dair hükümleri Tunceli Vilâyeti halkı hakkında 1 ikinci kânun 1940 tarihine kadar tatbik olunur.

Madde 3 — 2887 sayılı kanunun 3 üncü maddesi aşağıdaki şekilde değiştirilmiştir:

Tunceli Vilâyeti halkından olan 1316 : 1335 (dahil) doğumlulardan saklı, yoklama kaçağı ve bakayanın askerlik işlerinden dolayı görecekleri cezalar affolunur ve muvazzaflık hizmetleri (6) aya indirilir. Daha büyük yaşta bulunanlar yaşıtları arasına ihtiyata geçirilir.

Madde 4 — 2887 sayılı kanunun 4 üncü maddesi aşağıdaki gibi değiştirilmiştir:

2887 sayılı kanunun neşrinden evvel firarî ve izinsizlerden işbu kanunun mer'iyet müddeti içinde askerlik şubelerine gelenlere ve getirilenlere bu suçlarından dolayı ceza verilmez ve piyade kıt'alarında (6) ay muvazzaf hizmete tâbi tutulur.

2887 sayılı kanunun neşrinden sonraki firarî ve izinsizlerden bu kanunun mer'iyet müddeti içinde şubelerine gelenlere bu suçlarından dolayı ceza verilmez ve sınıflarına mahsus muvazzaflık müddetleri tamamlattırılır.

Madde 5 — Bu kanun neşri tarihinden 1 ikinci kânun 1940 tarihine kadar muteberdir.

Madde 6 — Bu kanunun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertip	Cild	Sahife	Resmî Gazete Sayı
2576	Gizli nüfusların yazımı hakkında kanun	3	15	1423	2752
2887	Tunceli halkından olupda nüfus ve askerlik kanunlarına göre kendilerine verilmesi lâzım gelen bazı cezaların affine ve nüfus yazımı ile askerlik işlerine dair kanun	3	17	215	3204

Türkiye Cümhuriyeti ile Afgan, İran ve İrak Devletleri arasında tanzim olunan Ademi Tecavüz ve Müşavere Muahedenamesinin tasdikına dair kanun

Kanun No: 3324 *Kabul tarihi: 14/1/1938*

Madde 1 — Türkiye Cümhuriyeti ile Afgan, İran ve Irak Devletleri arasında tanzim edilerek Tahranda Sadabadda imza edilmiş olan ve ademi tecavüz ve müşavere hükümlerini ihtiva eden 8 temmuz 1937 tarihli muahede kabul ve tasdik edilmiştir.

Madde 2 — Bu kanun neşri tarihinden muteberdir.

Madde 3 — Bu kanun hükümlerini icraya, İcra Vekilleri Heyeti memurdur.

22/1/1938

ADEMİ TECAVÜZ MUAHEDENAMESİ

Mukaddeme

Türkiye Reisicümhuru,
Majeste Afganistan Kıralı,
Majeste Irak Kıralı,
Majeste İran Şahinşahı

Ellerinde olan bütün vasıtalarla aralarındaki dostluk ve iyi anlaşma münasebetlerinin idamesine hadim olmak arzusile;

Milletler Cemiyeti Paktı çerçevesi içinde munzam teminat vasıtasile yakın şarkta sulh ve emniyeti temin ve bu suretle umumî sulha yardım maksadile mütehassis olarak;

Pariste 27 ağustos 1928 de imzalanan harbden feragat muahedesi ile kendilerinin vaziülimza bulundukları Milletler Cemiyeti misakına ve harbden feragat muahedesine uygun diğer bütün muahedeler mucibince mevcud vecibelerini tamamile müdrik olarak;

Bu muahedeyi imzaya karar vermişler ve bu maksadla:

Türkiye Cümhur Reisi:
Hariciye Vekili Ekselâns Dr. Tevfik Rüştü Arası;

Majeste Afganistan Kıralı:
Hariciye Veziri Ekselâns Faiz Mohammed Hanı;

Majeste Irak Kıralı:
Hariciye Veziri Ekselâns Dr. Naji Elasıli;

Majeste İran Şahinşahı:
Hariciye Veziri Ekselâns Enayetollah Samiyi; murahhas olarak tayin etmişlerdir.

Mezkûr murahhaslar, usulü dairesinde tanzim edilmiş olduğu görülen salâhiyetnamelerini teati ettikten sonra aşağıdaki hükümleri kararlaştırmışlardır:

Madde 1 — Yüksek Âkid Taraflar, birbirlerinin dahilî işlerine her türlü müdahaleden mutlak surette istinkâf siyaseti takib etmeyi teahhüd ederler.

Madde 2 — Yüksek Âkid Taraflar, müşterek hududlarının masuniyetine sureti katiyede riayet etmeyi teahhüd ederler.

Madde 3 — Yüksek Âkid Taraflar müşterek menfaatlerini alâkadar eden beynelmilel mahiyette her türlü ihtilâflarda birbirlerile istişarede bulunmak hususunda mutabıktırlar.

Madde 4 — Yüksek Âkid Taraflardan her biri, diğerine karşı hiç bir halde, gerek münferiden, gerek bir veya birden fazla salis Devletle birlikte, diğer Âkidlerden birine karşı hiç bir tecavüz hareketinde bulunmamayı teahhüd eder.

Tecavüz hareketi addedilenler şunlardır:

1 - Harb ilânı;

2 - Harb ilân edilmeksizin dahi olsa, bir Devletin silâhlı kuvvetleri tarafından diğer bir devlet arazisinin istilâsı;

3 - Bir Devletin kara, deniz veya hava kuvvetleri tarafından, harb ilân edilmeksizin dahi olsa, diğer bir Devletin arazisine, gemilerine veya tayyarelerine taarruz;

4 - Mütecavize doğrudan doğruya veya bilvasıta yardım veya müzaheret.

Tecavüz hareketi teşkil etmeyenler şunlardır:

1 - Meşru müdafaa hakkını istimal, yani yukarıda tarif edilen tecavüz hareketine mukavemet;

2 - Milletler Cemiyeti paktının 16 ncı maddesinin tatbikından mütevellid filiyat;

3 — Milletler Cemiyeti Assamblesi veya konseyi tarafından ittihaz edilen bir karar mucibince veyahut Milletler Cemiyeti paktının 15 inci maddesinin 7 nci fıkrasının tatbiki suretile yapılan hareket; şukadar ki ikinci haldeki hareket ilk mütearrız Devlete karşı tevcih edilmiş bulunsun;

4 - Yüksek Âkid Taraflardan birinin taarruza istihâya uğrayan bir Devlete yardım hareketi veyahut Pariste 27 ağustos 1923 de imza edilen harbden feragat muahedesine muhalif olarak harbe müracaat etmesi.

Madde 5 — Yüksek Âkid Taraflardan biri, bu muahedenin 4 üncü maddesinin ihlâl edildiğini veya edilmek üzere olduğunu telâkki ettiği takdirde, meseleyi derhal Milletler Cemiyeti Konseyine arzedecektir. İşbu hüküm mevzuubahs Yüksek Âkid Tarafından bu ahvalde lüzumuna hükmettiği bütün tedbirleri almak hakkını ihlâl etmez.

Madde 6 — Yüksek Âkidlerden biri, bir salis Devlet aleyhine bir tecavüze geçerse, diğer Yüksek Âkid Taraf, ihbar etmeksizin, işbu muahedeyi mütecavize karşı feshedecektir.

Madde 7 — Yüksek Âkid Taraflardan her biri, diğer Âkid Tarafların müessesatını devirmek, hudud ve diğer mahallerinin nizam ve emniyetini bozmak veya Hükûmet rejimini ihlâl etmek maksadile silâhlı

çete, cemiyet veyahut teşekküllerin teessüsüne veya filiyata geçmelerine, kendi hududları dahilinde, mani olmayı taahhüd ederler.

Madde 8 — Yüksek Âkid Taraflar, kendi aralarında çıkabilecek bütün niza ve ihtilâfların, mahiyet ve menşeleri her ne olursa olsun, hal ve tesviyesi ancak muslihane vasıtalara müracaatla mümkün olabileceğini 27 ağustos 1928 tarihli harbden feragat muahedesile tanımış olduklarından bu hükmü teyid ile bu hususta kendi aralarında ittihaz olunmuş veya edilecek olan usullere müracaat edeceklerini beyan ederler.

Madde 9 — İşbu muahedenin hiç bir maddesi, Milletler Cemiyeti Paktı mucibince Yüksek Âkidlerin her biri tarafından deruhde edilen vecibeleri, her ne hususta olursa olsun, tenkis eder mahiyette telâkki olunamaz.

Madde 10 — Fransızca ve dört nüsha olarak yazılan ve birer nüshası Âkid Devletlerden her biri tarafından alındığı tasdik edilen işbu muahede beş sene müddetle akdedilmiştir. Bu müddetin hitamında, Yüksek Âkidlerden biri tarafından altı ay evvel mefsuhiyeti ihbar edilmedikçe muahede, bütün hükmü cari olmak üzere, yeniden daha beş sene müddetle temdid edilmiş sayılacak ve her hitam devresinde Yüksek Âkidlerden biri veya bir kaçı tarafından altı ay evvel feshi haber verilinciye kadar muteber olacaktır. Âkidlerden birile feshedilen muahede diğerleri arasında mer'iyette devam eder.

İşbu muahedename Yüksek Âkidlerin her biri tarafından kendi teşrii usulüne tevfikan tasdik edilecek ve Milletler Cemiyeti Genel Sekreterliğince kaydedilerek Cemiyetin diğer azasına keyfiyetin bildirilmesi rica olunacaktır.

Tasdiknameler, Yüksek Âkidlerin her biri tarafından İran Hükûmetine tevdi olunacaktır.

Tasdiknameler iki Yüksek Âkid Tarafından tevdi edilir edilmez işbu muahede bu iki Taraf arasında meriyete girecektir. Üçüncü ve dördüncü Âkid Tarafından da tasdiknameler tevdi ediliği zaman muahede bu üçüncü ve dördüncü ile de mer'i olacaktır.

Tasdiknamelerin her tevdiinde İran Hükûmeti tarafından bu muahedeyi imzalayanlara işbu tevdi keyfiyeti derhal haber verilecektir.

Tahranda, Sad - Abad Sarayında, sekiz temmuz bin dokuz yüz otuz yedi tarihinde akdedilmiştir.

Dr. Rüştü Aras

Faiz

Naji-Al-Asıl

Samiy.

Muhasebei Umumiye Kanununa ek kanun

Kanun No: 3325 *Kabul tarihi: 17/1/1938*

Madde 1 — Mukavelenameleri mucibince imtiyazlı şirketlerle müteahhidlerden teftiş mukabili alınan mebaliğin bütçe haricinde sarfı ve kadroda gösterilmeksizin bu kabil şirket ve müteahhidler nezdinde komiser veya fen memuru istihdamı caiz değildir. Ancak yeni akdolunan mukavelât dolayısile bir malî sene zarfında işe başlayan şirket ve müteahhidlerden teftiş mukabili alınacak mebaliğ bir taraftan varidat bütçesindeki tertibi mahsusuna irad kayıd diğer taraftan bu mebaliği tecavüz etmemek üzere İcra Vekilleri Heyetince tasdik olunacak kadro dairesinde komiser veya fen memuru bittayin ücretleri mensub oldukları daire bütçesinin müstahdemini daime tertiblerine tahsisat olarak ilâve ve tesviye olunur. Bunlardan müteakib malî sene bütçesinin tanziminden evvel tayin olunanların o sene kadrolarına ve bütçenin tanzimınden sonra tayin olunanların ikinci müteakib sene kadrolarına ithali mecburidir.

Madde 2 — Varidat bütçesinde nâzım varidat unvanı altında bir kısım açılmıştır. Bu kısma Maliye Vekâletince hususî kanunları mucibince diğer Devlet daireleri nam ve hesabına cibayet edilip bu dairelere verilecek varidat kaydolunur.

Nâzım varidat hesabında kayıdlı varidat Maliye Vekâleti masraf bütçesinde açılmış olan hususî fasıldan alâkadar dairelere tediye edilir.

Madde 3 — Daire bütçelerinde seferberlik âdile birer rakamsız fasıl açılır. Bu fasıllara seferberlik hizmetleri için icab eden tahsisat İcra Vekilleri Heyeti kararile diğer fasıllardan münakale yapılmak suretile temin olunur. Bu maddenin hükmü mülhak bütçelere de şamildir.

Madde 4 — 1050 sayılı Muhasebei Umumiye Kanununun 47 nci maddesine aşağıdaki fıkra eklenmiştir:

(Maaşatı zatiye düyunu dahi bu maddedeki esasa tevfikan cari sene bütçesinden verilir).

Madde 5 — Bu kanun 1 haziran 1938 tarihinden muteberdir.

Madde 6 — Bu kanun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

22/1/1938

3814 sayılı Resmî Gazetede münderiç 3321 numaralı kanun haşiyesine bakınız.

Ziraat Vekâleti Vazife ve Teşkilât Kanununa ek kanun

Kanun No: 3326 *Kabul tarihi: 17/1/1938*

Madde 1 — 4/6/1937 tarih ve 3203 sayılı Ziraat Vekâleti vazife ve Teşkilât Kanununun 17 nci maddesine bağlı (1) sayılı cetvelin hukuk müşavirliği kısmında yazılı (hukuk müşavir muavini) unvanı (hukuk müşaviri) şeklinde değiştirilmiştir.

Madde 2 — Bu kanun neşri tarihinden muteberdir.

Madde 3 — Bu kanunun hükümlerini icraya Ziraat Vekili memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
3203	Ziraat Vekâleti vazife ve teşkilât kanunu	3	18	1153	3636

Kaçakçılığın Men ve Takibi hakkındaki kanunun bazı maddelerini değiştiren 2550 sayılı kanunun ikinci maddesine bir fıkra eklenmesi hakkında kanun

Kanun No: 3327 *Kabul tarihi: 17/1/1938*

Madde 1 — Kaçakçılığın men ve takibi hakkındaki 1918 sayılı kanunun 57 ve 60 ncı maddelerini değiştiren ve bu kanuna bir madde ekliyen 2550 sayılı kanunun ikinci maddesine aşağıdaki fıkra eklenmiştir:

Bu madde mucibince gümrük kaçağı eşya bedeli ile kaçak altınların değerinden ve bunların para cezalarından tazminat karşılığı olarak Hazinece irad kaydedilen yüzde yirmiler Gümrük ve İnhisarlar Vekâleti masraf bütçesindeki tazminat tertibine tahsisat olarak ilâve olunur.

Madde 2 — Bu kanun 1 haziran 1938 tarihinden muteberdir.

Madde 3 — Bu kanunun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
1918	Kaçakçılığın men ve takibine dair	3	13	75	2000
2271	Kaçakçılığın men ve takibine dair kanunun bazı maddelerinin değiştirilmesine ve bu kanunun 58 inci maddesine bir fıkra ilâvesine dair kanun	3	14	1329	2425
2278	1918 sayılı kanuna eklenen kaçakçılığın men ve takibi hakkında kanun	3	14	1428	2428
2550	Kaçakçılığın men ve takibi hakkındaki kanunun 57 ve 60 ıncı maddelerini değiştiren ve bu kanuna bir madde ekleyen kanun	3	15	1349	2748
2635	Kaçakçılığın men ve takibine dair olan kanunun 71 inci maddesinde yazılı müddetin uzatılmasına ve bu kanuna bir madde eklenmesine dair kanun	3	16	103	2831
Kararname 2/1959	Kaçakçılığın takibinde ve muhafaza hususunda büyük yararlıkları görülenlere verilecek ikramiye hakkında nizamname	3	16	591	2937

Hizmetten ayrılan Nafıa memur ve müstahdemlerinin yapamıyacakları işler hakkındaki 7/5/1934 tarih ve 2428 numaralı kanunun birinci maddesini muaddil kanun

Kanun No: 3328 *Kabul tarihi: 17/1/1938*

Madde 1 — 7/5/1934 tarih ve 2428 numaralı kanunun birinci maddesi aşağıdaki şekilde tadil edilmiştir:

Nafıa Vekâleti ile bu vekâlete bağlı idareler kadrolarında istihdam edilen bilûmum mühendis, mimar, ressam, fen memurları, muhasebe ve levazım işlerinde çalışan bütün memur ve müstahdemler ve diğer işlerde çalışan daire ve şube ve kalem âmirlerile bunlardan yukarı derecede bulunan memur ve müstahdemler her ne suretle olursa olsun hizmetten ayrıldıkları tarihten itibaren beş sene içinde:

A) Gerek doğrudan doğruya ve gerekse bilvasıta şerik, mümessil, komisyoncu gibi her hangi bir nam ve sıfatla olursa olsun Nafıa Vekâletine veya bu vekâlete bağlı idarelere taallûk eden işlerde münakasalara veya taahhüdlere giremezler ve bu işlerin müteahhidlerinden iş alamazlar ve bu işlerde kullanılamazlar.

B) Sermayesinin tamamı veya nısfından fazlası umumî, hususî ve mülhak bütçelerle idare olunan daire ve müesseselere ve belediyelere aid olanlar müstesna olmak üzere Nafıa Vekâletinin kontrolü altında bulunan imtiyazlı şirketler nezdinde hiç bir hizmet göremedikleri gibi bu şirketlerde idare meclisi reisi ve azası ve murakıb dahi olmazlar.

C) Yukarıdaki fıkralarda yazılı müteahhidlerin ve imtiyazlı şirketlerin işlerini vekâlet ve bu vekâlete bağlı idareler teşkilâtında takib edemezler.

Madde 2 — Bu kanun neşri tarihinden muteberdir.

Madde 3 — Bu kanunun icrasına Adliye ve Nafıa Vekilleri memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
2428	Hizmetten ayrılan Nafıa memur ve müstahdemlerinin yapamıyacakları işler hakkında kanun	3	15	443	2700

Vakıflar Umum Müdürlüğünün 1937 malî yılı bütçesinde (84 000) liralık münakale yapılmasına dair kanun

Kanun No: 3329 *Kabul tarihi: 17/1/1938*

Madde 1 — Vakıflar Umum Müdürlüğünün 1937 malî yılı bütçesinin ilişik (A) işaretli cetvelde yazılı fasılları arasında (84 000) liralık münakale yapılmıştır.

Madde 2 — 1932 - 1936 senelerinde tahakkuk edip aid olduğu tertiblerinde bakiye bulunmayan ve müfredatı ilişik (B) işaretli cetvelde gösterilen (4 748) lira (79) kuruşun, taallûk ettiği yıl bütçelerinin umumî yekûnlarında tahsisat bakiyesi bulunmak kaydile, birinci madde ile münakale edilen tahsisattan sarfına mezuniyet verilmiştir.

Madde 3 — Bu kanun neşri tarihinden muteberdir.

Madde 4 — Bu kanunun hükmünü icraya Başvekil memurdur.

22/1/1938

A — CETVELİ

F.	M.	Muhassasatın nev'i	Tenzil edilen Lira	Zammedilen Lira
1		Memurlar maaşı	12 000	
5		Merkez mefruşat ve demirbaşı		600
6	2	Kırtasiye		500
8		Vilâyetler mefruşat ve demirbaşı		1 000
9		Vilâyetler levazımı		
	1	Tenvir ve teshin		1 000
	2	Kırtasiye		1 000
		Fasıl yekûnu		2 000
10		Vilâyetler müteferrikası		5 000
11		Mütenevvi masraflar		
	1	İcar bedeli		500
	2	Masarifi muhakeme		4 000
	3	Defatir ve evrakı matbua		3 000
	4	Melbusat		500
		Fasıl yekûnu		8 000
13		Muvakkat memuriyetler harcırahı		5 000
15	2	Mükâleme bedeli		500
18		Mukannen masraflar		
	1	Aidat		3 000
	2	Reddiyat		10 000
	3	Mahkeme harçları		1 500
		Fasıl yekûnu		14 500
19	3	Apartımanlar ile dördüncü vakıf han masrafı		1 000
21		Müzayede ve ihale heyetlerinin gayri muvazzaf azaları huzur ücreti		300
22		Tamirat		
	1	Akar tamir ve inşası		12 000
	2	Hayrat tamiri		5 000
		Fasıl yekûnu		17 000
25	2	Mevcud vakfiyelerin tercüme ve tabı ile Türk abidat ve medeniyetine aid eserlerin satın alınması vesaire masrafı		1 000
28		Mütekaid, dul ve yetim maaş ve tahsisatı fevkalâdeleri		7 000
30	1	Maaş, vazife ve tahsisatı fevkalâde	70 000	
	2	Tenvir ve teshin	1 000	
	3	Mefruşat (mubayaa, tamir) ve müteferrika	1 000	
		Fasıl yekûnu	72 000	

F.	M.	Muhassasatın nev'i	Tenzil edilen Lira	Zammedilen Lira
32		1683 numaralı kanunun 58 inci maddesi mucibince verilecek tekaüd ikramiyesi		5 000
34		Geçen yıl borçları		3 000
35		Eski yıllar borçları		
	1	1935 yılı borçları karşılığı		7 000
	2	1934 „ „ „		4 000
	3	1933 „ „ „		600
	4	1932 „ „ „		1 000
		Fasıl yekûnu		12 600
		YEKÛN	84 000	81 000

B — CETVELİ

Borç mikdarı Lira	K.	F.	M.	Muhassasatın nev'i	Senesi	Hangi mahalle aid olduğu
18	50	12	2	Kırtasiye	1932	Kocaeli
14	04	33	2	Açık maaşı	»	İstanbul
23	00	12	2	Kırtasiye	»	Tekirdağ
40	00	33	2	Açık maaşı	»	İstanbul
199	92	33	2	» »	»	Yozgat
47	54	33	2	» »	»	Kastamonu
3	33	33	2	» »	»	İstanbul
100	00	31	2	» »	1933	İstanbul
132	00	31	2	» »	»	Kastamonu
105	48	31	2	» »	»	İzmir
133	00	31	2	» »	1934	İzmir
240	00	31	2	» »	»	Malatya
913	16	23		Hastane masrafı	1935	İstanbul
17	50	12	1	Harcırah	»	Edirne
21	50	12	1	»	»	Gaziantep
30	00	12	1	»	»	Afyon
11	00	12	1	»	»	Antalya
34	00	12	1	»	»	Kadıköy
67	00	12	1	»	»	Edirne
50	79	12	1	»	»	Edirne
25	00	12	1	»	»	İzmir
10	00	12	1	»	»	Niğde
22	75	12	1	»	»	Edirne
15	00	12	1	»	»	İstanbul
50	75	12	1	»	»	İstanbul
16	00	12	1	»	»	Kadıköy
56	90	12	1	»	»	Kadıköy
20	00	12	1	»	»	Balıkesir
131	00	12	1	»	»	Beyoğlu
67	91	12	1	»	»	İstanbul
320	83	12	1	»	»	İstanbul
6	07	12	1	»	»	Aydın
5	08	12	1	»	»	Aydın
16	25	12	1	»	»	Edirne
66	00	12	1	»	»	Bursa
56	90	12	1	»	»	İstanbul
10	00	12	1	»	»	Niğde
51	58	12	1	»	»	Konya
137	18	12	1	»	»	Beyoğlu
127	50	12	1	»	»	İstanbul
51	00	12	1	Harcırah	1935	Gaziantep
30	50	12	1	»	»	Gaziantep
67	00	12	1	»	»	Edirne
1 075	85	10		Vilâyet müfettişliği	»	İstanbul
14	22	30	2	Açık maaşı	»	İzmir
95	76	28	1	Tevliyet	1936	İstanbul
4 748	79			Yekûn		

Oyun aletleri resmi hakkında kanun

Kanun No: 3330 *Kabul tarihi: 17/1/1938*

Madde 1 — Kulüb, kahvehane ve gazinolarla kır bahçelerinde ve emsali eğlence mahallerinde bulunan beher bilardodan senevî beş lira ve tavla, dama ve satranç tahtalarının beherinden senevî üç lira resim alınır.

Madde 2 — Birinci maddede yazılı yerleri işletenler her sene haziran ayı içinde bu yerlerde mevcud resme tâbi oyun aletlerinin cinsini ve mikdarını gösterir bir beyannameyi makbuz mukabilinde bağlı bulundukları varidat idaresine vermeğe ve tahakkuk ettirilecek rüsumu malsandığına yatırarak her oyun aleti için alacağı levhaları oyun aletinin münasib bir yerine vazeylemeğe mecburdurlar.

Madde 3 — Temmuzun birinci gününden itibaren yapılacak yoklamada levhasız görülecek oyun aletlerinin resmi iki kat olarak alınır.

Madde 4 — Birinci maddede yazılı yerleri işletenler malî yıl içinde yeniden satın alacakları oyun aletlerini, aldıkları tarihten itiberen on gün içinde bir beyanname ile varidat idaresine bildirmeğe ve ikinci maddede yazılı şekilde resim ve levha muamelesini yapmağa mecburdurlar.

Madde 5 — Varidat memurları her sene temmuz ayı içinde mıntakalarında bulunan birinci maddedeki yerleri dolaşarak bulunan oyun aletlerinin resmi ödenmiş olup olmadığını tetkik etmeğe ve bu kontrolü senenin gayri muayyen zamanlarında asgarî üç defa tekrar etmeğe mecburdurlar.

Defterdar, malmüdürü, varidat müdürü, varidat kontrol memurları ile varidat kontrolörleri ve maliye müfettişleri de bu mahallerde kontrol yapmağa salâhiyetlidirler.

Madde 6 — Yoklamalarda resmi ödenmemiş olarak görülecek oyun aletleri zabıt varakasile tesbit olunarak ikinci madde hükmüne göre resim ve cezası tarh ve en çok bir hafta içinde mükellefe ihbarname ile tebliğ olunur. Bu tarhiyata karşı yapılacak itiraz ve temyiz taleblerinde ve bunların tetkik ve karara raptında 2395 numaralı kanun hükümleri aynen cari olur. İtiraz komisyonu kararlarına karşı varidat idaresince temyizen tetkikat talebinde bulunmak salâhiyeti vilâyetlerde varidat müdürlerine ve kazalarda en büyük mal memurlarına aiddir.

Madde 7 — Yukarıki madde mucibince tarhedilen resim ve cezalar, itiraz müddetinin itirazsız geçmesi veya itiraz halinde tetkiki itiraz komisyonu kararile tahakkuk etmesini müteakib on beş gün içinde tahsil olunur. Temyiz talebi tahsile mâni değildir. Ancak temyiz komisyonu kararile fazla alındığı tebeyyün eden resim ve ceza mükellefe red ve iade edilir. Tahakkuk eden resim ve ceza, müddeti içinde ödenmediği takdirde % 10 zamla ve Tahsili Emval Kanunu hükümlerine göre tahsil olunur.

Madde 8 — Yoklamalarda levhasız görülen oyun aletlerinin yoklamadan evvel beyannamesi verilmiş ve resmi de ödenmiş olduğu anlaşılır ise levha talik edilmemiş olmasından dolayı cezaen resimlerinin yüzde yirmisi 6 ve 7 nci maddelerde yazılı şekil dairesinde tahakkuk ettirilerek tahsil olunur.

Madde 9 — Taallûk ettiği malî yıl içinde tarhedilmeyen ve tarhedilip de kat'ileştiği malî yılı takib eden beş yıl içinde tahsil olunmayan resim ve cezaları müruru zamana uğrar.

Madde 10 — Oyun kâğıdlarından alınmakta olan istihlâk resminin tezyidi hakkındaki 33 numaralı ve 30 eylûl 1336 tarihli kanun ile bu kanuna müzeyyel 57 numaralı ve 27 teşrinisani 1336 tarihli kanun ilga edilmiştir.

Madde 11 — Bu kanun 1 haziran 1938 tarihinden muteberdir.

Madde 12 — Bu kanunun icrasına Maliye Vekili memurdur.

22/1/1938

Kararname No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
Kararname	Oyun kâğıdının resmi istihlâkine dair	2	9	705	297
Kanun	.. .. istihlâk resmine dair kanun	2	10	155	311
Kararname	.. .. alınan resme müteallik kanuna müzeyyel kararname	2	12	467	423
Kanun 33	Oyun kâğıdının alınmakta olan istihlâk resminin tezyidi hakkında kanun [490 numaralı kanunun 11 inci maddesine muhalif hükmü kaldırılmıştır.]	3	1	85	
57	Oyun kâğıdlarından alınan rüsumu istihlâkiyenin tezyidine dair kanuna müzeyyel kanun [490 numaralı kanunun 11 inci maddesine muhalif hükmü kaldırılmıştır.]	3	1	148	
2395	Kazanç Vergisi Kanunu	3	15	234	

Halk Bankası ve halk sandıklarının sermayeleri hakkında kanun

Kanun No: 3331 *Kabul tarihi: 17/1/1938*

Madde 1 — Halk Bankası tesisi hakkındaki 2284 numaralı kanunun 2 nci maddesinde zikredilen Hazine iştiraki, Hazinede mevcud tahvillerin satışı ile temin edilir.

Madde 2 — Halk sandıklarının ilk tesislerinde sermayelerine iştirak etmek üzere Hazinece birinci maddede gösterilen şekilde temin edilecek 200 000 lira, İktısad Vekâleti emrine bir bankaya tevdi olunur. Bu para ile alınacak Halk sandıkları hisse senedleri Halk Bankasına maledilir.

Madde 3 — 2284 sayılı kanunun tesisini derpiş ettiği Halk sandıklarına resmî menabiden alınacak iştirak hisseleri, vilâyet idarei hususiyelerile belediyelerin her sene bütçelerinde meclisi umumî ve belediye meclisleri tarafından tesbit olunacak miktarla karşılanır.

Madde 4 — Bu kanun neşri tarihinden muteberdir.

Madde 5 — Bu kanunun hükümlerini icraya Maliye, Dahiliye ve İktısad Vekilleri memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
2284	Halk bankası ve halk sandıkları kanunu	3	14	1436	2439

Türkiye ile İran arasındaki hudud hattının tashihine müteallik anlaşmanın tasdikına dair kanun

Kanun No: 3332 *Kabul tarihi: 17/1/1938*

Madde 1 — Türkiye Cümhuriyeti ile İran Devleti Şehinşahisi arasında 27 mayıs 1937 tarihinde Tahranda imza edilen hudud hattının tashihine dair anlaşma kabul ve tasdik edilmiştir.

Madde 2 — Bu kanun neşri tarihinden muteberdir.

Madde 3 — Bu kanunun hükümlerini icraya İcra Vekilleri Heyeti memurdur.

22/1/1938

Türkiye ile İran arasındaki hudud hattının tashihine müteallik anlaşma

Türkiye ile İran arasındaki hudud hattının tesbitine müteallik olarak 23 ikinci kânun 1932 tarihinde Tahranda imza edilen itilâfnamede tesbit olunduğu veçhile ifade ve beyan edilen hudud hattının Mazbişo Paki ve Eli mahallerinin kâin bulunduğu mıntakaya müteallik kısmında mezkûr hattın tersiminde kullanılan haritaya ademi tetabukundan mütevellid hatayı tashih etmek üzere:

Türkiyenin Tahran Büyük Elçisi Ekselâns Enis Akaygen,

ve

İran Hariciye Nazırı Ekselâns Enayetollah Samiy,

Bu hususta usulüne muvafık bulunan salâhiyetnameleri haiz olarak aşağıdaki ahkâmı kararlaştırmışlardır:

Madde 1 — 23 ikinci kânun 1932 tarihli hudud itilâfnamesinin 1 inci maddesinin aşağıdaki ahkâmı muhtevi 8 inci fıkrası:

"Hudud hattı 2869 rakımlı Kotoul Dağından başlar ve sırtın hattı balâsından cenubu şarkiye doğru teveccüh ile cenuba doğru 1800 metre irtifada imtidad eden sırtı İrana bırakarak Bacirgenin şarkında Baradost Nehri üzerinde 1600 metrede kâin bir noktaya vasıl olur.

Yani hudud hattı dereden geçer). Oradan hat cenubu şarkiye doğru gider ve CxIvII ve CxIvIII sınır taşlarından geçer, sonra tepeden 450 metre mesafede kâin Ekmalouk Irmağına kadar şark, şarki cenubiye doğru döner. Nihayet 2300 rakımının cenubunda 800 metre irtifaa kadar Ekmalouk Deresini akış istikametine makûsen çıkar. Oradan hat 2530 rakımına kadar sırtın hattı balâsını takib eder. Sonra İrana kalan Alosanın garbında 1500 metre irtifada bulunan bir noktaya kadar 2500 metrelik bir saha üzerinde cenubu garbî istikametinde sırtın hattı balâsını takib eder. Hat, oradan takriben 2500 metre mesafede bulunan bu sırtın dirseğine kadar cenup istikametinde sırtı takib eder. Nihayet daima sırtları takib ederek Aldar Dağına kadar şarka doğru teveccüh eder. Sonra Berdereche çayile Pakiden gelen çayın birleştikleri mahallin şimalinde 2400 metrede bulunan zirveye kadar sırtlardan cenubu şarkiye doğru döner. Oradan hat mezkûr birleşme noktasına kadar cenuba doğru iner. Sonra Berdereche çayın talveğini bu çayın Garachine Dağının 1000 metre garbından inen sel ile birleştiği yere yadar takib eder. Hat bu selin talveğini 1600 metrelik mesafede cenuba doğru takib eder, sonra Garachine Dağının garp zirvesine kadar cenubu şarkiye doğru teveccüh eden sırt üzerine tırmanır. Eli ve Paki mahalleri Türkiyeye Mazbişo mahalli İrana kalır.„

Şu şekilde tadil edilmiştir:

«Hudud hattı 2869 rakımlı Kotoul Dağından başlar ve Bacirgenin şarkında Baradost ırmağı üzerinde 1600 metrede kâin bir noktaya kadar cenubu şarkiye doğru sırttan geçen hattı balâyı takiben teveccüh edip cenuba doğru 1890 irtifaında imtidad eden sırtı İrana bırakır (yani hudud hattı dereden geçer.) Oradan hat cenubu şarkiye doğru gider ve CXLVII ve CXLVIII sınır taşlarının bulunduğu tepeden geçer, sonra tepeden 450 metrede kâin Ekmalouk ırmağına kadar şark - cenub - şarka doğru teveccüh eder. Nihayet 2300 rakımının cenubunda 800 metrede kâin yüksekliğe kadar Ekmalouk deresini akış istikametine doğru çıkar. Oradan 2530 rakımına kadar sırtın hattı balâsını takib eder; sonra İrana kalan Alosanın garbinde 1500 metrede kâin bir noktaya kadar 2500 metrelik bir saha üzerinde cenubu garbî istikametinde sırtın hattı balâsını takib eder. Hat oradan takriben 2500 metre mesafede bulunan bu sırtın dirseğine kadar sırtı cenub istikametinde takib ederek Alader dağa kadar şarka doğru teveccüh eder. Sonra 476 numaralı sınır taşının vazedilmiş olduğu 2800 rakımlı tepei Hochapın zirvesine kadar sırtlardan cenubu şarkiye doğru iner ve Tepei Hochaptan Mazbişonun şimali şarkisinde takriben 500 metrede kâin ve her iki tarafça imzalanan merbut kroki üzerinde gösterilen (- Tı) noktasında mülâki olacağı Pakiden gelen ırmağa kadar hattı müstakim halinde iner ve bu noktadan mezkûr ırmağın talveğini bu ırmağın Berdereche çay ile birleştiği mahalle kadar takib eder, sonra hat Garachine dağının 1000 metre garbinde inen sel ile Berdereche çayın birleştiği mahalle kadar bu ırmağın tavleğini takib eder. Hat 1600 metrelik mesafede cenuba doğru bu selin talveğini takib eder, sonra Garachine dağının garb zirvesine kadar cenubu şarkiye doğru teveccüh eden sırta tırmanır. Eli ve Paki Türkiyeye ve Mazbişo mevkiinin Pakiden gelen ırmağın şarkında kalan kısmı İrana kalır.

Türkiye ile İran arasındaki hudud hattının tesbitine müteallik olarak 23 ikinci kânun 1932 tarihinde Tahranda imza edilen itilâfnamenin cüzü mütemmimini teşkil eden işbu anlaşma tasdik edilecek ve tasdiknameler mümkün mertebe sür'atle Tahranda teati edilecektir.

İşbu anlaşma tasdiknamelerin teatisini müteakib derhal meriyete girecektir.

Tasdiken lilmekal yukarıda anılan murahhaslar işbu anlaşmayı imza etmişlerdir.

Tahranda 27 mayıs 1937 tarihinde iki nüsha olarak tanzim edilmiştir.

M. E. Akaygen *Samiy*

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
2011	Türkiye İran hudud itilâfnamesi	3	13	673	2132

İstanbul Tramvay Şirketinden alınan paraların İstanbul şehri imarına tahsisine dair kanun [*]

Kanun No: 3333 *Kabul tarihi: 17/1/1938*

Madde 1 — İstanbul Tramvay Şirketince vecibeleri yapılmaksızın halktan fazla olarak tahsil edilip şirketten geri alınması Devlet Şûrasınca kararlaştırılan bir milyon yedi yüz bin liranın elyevm Cümhuriyet Merkez Bankasında toplanmış olan kısmile bundan sonra alınacak olan mikdarı; İstanbulun Yenicami-Eminönü meydanında, ilişik tasdikli

[*] [Bu kanunda yazılı iki kıt'a harita bir kaç gün zarfında diğer bir nüshaya derc edilecektir.]

ve (A) işaretli harita mucibince açılması icab eden yerlerin istimlâk işlerine tahsis olunmuştur.

Madde 2 — İstimlâk işleri Nafıa Vekâletinin kontrolü altında İstanbul Belediyesince 2497 sayılı Belediye İstimlâk Kanununa göre yapılır.

Madde 3 — Bu kanun ile tahsis edilen para, ilişik (B) haritasında (1) numara ile işaret edilen yerlerden başlayarak kifayeti halinde (2) numaralı yerlere de sarfedilir. (2) numaralı yerlerin istimlâkinden sonra para arttığı takdirde kalacak bakiye ile Eminönü - Eyüb istikametinde açılacak yolun istimlâkine sarfedilir.

İstimlâk muamelesi biterek belediye emrine bırakılan binaların hedmi ve Eminönü meydanının tanzimi, İstanbul Belediyesi bütçesile temin olunur.

Madde 4 — Birinci madde ile Nafıa Vekâletinin kontrolü altında istimlâk işlerine sarfedilecek paralar sarf tarihi itibarile taallûk ettikleri belediye bütçesinde açılacak hususî fasıllara bir taraftan irad, diğer taraftan tahsisat kaydedilmek suretile gösterilir.

Madde 5 — Bu kanun neşri tarihinden muteberdir.

Madde 6 — Bu kanunun icrasına Dahiliye, Maliye ve Nafıa Vekilleri memurdur.

22/1/1938

Kanun No.	Başlığı	Düstur Tertib	Cild	Sahife	Resmî Gazete Sayı
2497	Belediye İstimlâk Kanunu	3	15	1087	2722

İLÂNLAR

Sıhhat ve İçtimaî Muavenet Vekâletinden:

1 — Sağlık propagandası için nümuneleri vekâlette mevcud yedi cins renkli afişin bastırılması kapalı zarf usulile eksiltmeye konulmuştur.

2 — İhale Sıhhat ve İçtimaî Muavenet Vekâletinde teşekkül eden hususî komisyon marifetile ve 31/1/1938 pazartesi günü saat 14 de yapılacaktır.

3 — Teminatı muvakkate miktarı (562) lira (50) kuruştur. Teminatı muvakkate nakden komisyonca alınamayacağından bunun daha evvel **veneye yatırılmış olması ve makbuzun zarfı içine konulması lâzımdır.**

4 — Zarfların 31/1/1938 günü saat on üçe kadar komisyona verilmiş olması ve dış taraflarının mühür mumile mühürlenmiş olması şarttır.

5 — Şartnameler Ankarada Sıhhat ve İçtimaî Muavenet Vekâleti Sağlık Propagandası ve Tıbbî İstatistik Umum Müdürlüğünde, İstanbulda Sıhhat ve İçtimaî Muavenet Müdürlüğünde görülebilir.

6 — Nümuneler Sıhhat Vekâletindedir.

766/4 4

Giresun Nafıa Müdürlüğünden:

Kapalı zarf usulü ile eksiltme ilânı

2/2/1938 tarihine rastlayan çarşamba günü saat 15 de Giresun Vilâyeti Hususî Muhasebe binası içerisinde toplanacak olan vilâyet encümenince 48835 lira muhammen bedelli hastahane binasının yalnız kârgir ve betonarme kısımlarının inşası vahid fiatlar üzerinden eksiltmeye konulmuştur.

Tekliflerdeki tenzilât vahid fiatların umumu üzerinden yapılacaktır. Şartname, plân ve buna müteferrik diğer evrak 240 kuruş mukabilinde Nafıa dairesinden verilecektir. Muvakkat teminat 3662 lira 61 kuruştur. İsteklilerin teklif mektuplarını mahallî ticaret odasında kayıdlı olduğuna dair vesika ve 1938 yılı için cari Nafıa Vekâletinden alınmış müteahhitlik vesikasile birlikte 2/2/1938 çarşamba günü saat 14,30 a kadar Giresun Vilâyeti Daimî Encümen Reisliğine vermeleri lâzımdır.

789/4-2

Türkiye Cümhuriyet Merkez Bankasından:

10 sene ve daha fazla müddettenberi sahipleri tarafından aranılmadığından dolayı 2999 sayılı kanun mucibince muhtelif banka ve müesseseler tarafından Maliye Vekâleti hesabına muhafaza edilmek üzere bankamıza devredilen paraların mikdarı aşağıda gösterilmiştir:

İşbu paralar bankamıza devredildikleri tarihten itibaren iki sene için de sahipleri veya varisleri tarafından evrakı müsbite ibrazı suretile İdare Merkezimize veya şubelerimize müracaat edilerek alınmadıkları takdirde 2794 sayılı kanunla teşkil olunan amortisman sandığına intikal edecektir.

Bu müddetin hitamından sonra vaki olacak müracaatların hükümsüz addolunacağı ilân olunur.

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Osmanlı Bankasının tevdiatı

Kimin namına yatırıldığı İsim	Adres ve hüviyeti	Yatıran	Hangi şube	Bankamıza Tevdi tarihi	Türk lirası Miktarı
Gafuri	Bilinmiyor	Kendi	Zonguldak	12/2/1936	2.46
Mitsdis Gunnaris	»	»	Ordu	»	20.—
Haçik Kanduryan	»	»	Bursa	9/4/1936	9.25
Kurti Natias	»	»	»	»	10.25
Sırrı	»	»	»	»	39.25
Zafir Zur	»	»	»	»	9.25
Gimes Yuciyan	»	»	»	»	44.50
J. Kristo Dalides	»	»	»	»	5.25
Fatma	»	»	»	»	19.25
Ali	»	»	İzmir	28/4/1936	9.50
M. Petalopolos	»	»	»	»	52.99
Alex Arahtenci	»	»	»	»	66.35
Anagnostopulos	»	»	»	»	24.42
Dalkas İlias	»	»	»	»	8.42
Yusuf Nuri	»	»	»	»	15.46
Talaslı Bodos	»	»	Kayseri	29/5/1936	29.62

İsim	Kimin namına yatırıldığı Adres ve hüviyeti	Yatıran	Hangi şube	Bankamıza Tevdi tarihi	Türk lirası Miktarı
Malatyalı Ali Derviş Zade Ahmed	Bilinmiyor	Kendi	Yenicami	16/7/1936	25.85
G. Bak de Surany	»	»	»	»	2.56
Yusuf Ziya Hoca zade	»	»	»	»	3.89
E. Sadi	»	»	»	»	1.53
R. Botton	»	»	»	»	2.30
Feruz Khanzi	»	»	»	»	8.19
Mukayet zade M. Hasan	»	»	»	»	3.—
Rakib Baki	»	»	»	»	5.76
Hüseyin Balıkesirde yörük Fahri yanında	»	»	Bahkesir	19/10/1936	5.—
Mehmed Bey zade Adil	»	»	İzmir	»	2.75
Jorj Paskalis	»	»	»	»	2.18
Düyunu Umumiye	»	»	»	»	5.—
Crédit Lyonnais	»	»	»	»	0.25
Habip Homsy	»	»	»	»	67.37
Pierre A. Zicchini	»	»	»	»	3.83
Blanche Mirzan	»	»	»	»	58.69
Hatice Münevver Saffet	»	»	Beyoğlu	30/12/1936	3.50
Lili Rosenthal	»	»	»	»	8.—
Marie Adil	»	»	»	»	6.—
Meline Purunkul	»	»	»	»	23.—
Lili Sorstein	Ap. Osman Paşa No. 2 İstiklâl Caddesi No. 121	»	»	»	9.—
Emsali Nur	Şadiye Sultan Konağı Nişantaşı	»	»	»	16.80
D. Sofyanos	Sıraserviler No. 127	»	»	»	58.—
Jean Zinguilli	Bilinmiyor	»	»	»	72.—
Dürri Sadi	»	»	Balıkesir	14/1/1937	0.02
İsmail Safa	»	»	»	»	9.—
Salih oğlu Hafız Ahmed	Şamlı nahiyesi Hamidiye yayla bayırı	»	»	»	0.93
Bayazıt oğlu Bayram	Karaoğlan mahallesi	»	»	»	1.07
Tomnili Biraderler	Bilinmiyor	»	Ordu	»	16.—
Hüseyin Hüsnü	»	»	Samsun		2.19
Dr. Latour	»	»	»	»	29.08
Antranik Gürekian	»	»	»	»	34.44
Kavohim Sakaryan	»	»	»	»	238.98
Mavridis Keşişyan	»	»	»	»	7.90
Lucos Guinavitz	»	»	»	»	93.29
Hamza Ali oğlu Veli	»	»	»	»	11.49
Setrak Berberyan	»	»	»	»	275.27
İsmail Hakkı	»	»	»	»	1.07
Enver	»	»	Mersin	8/1/1937	100.—
Nikolas Mistridis	»	»	»	»	0.23
Sahman Vakkas	»	»	»	»	1.63
S. Naggear	»	»	»	»	9.78
Harputlu Bekir	»	»	»	»	49.75
Nadiye Salih kızı	»	»	»	»	3.39
Takouhos Elias	»	»	»	»	130.69
Michel Simon	»	»	»	»	9.—
Cité Religieuse d'Orthodoxie	»	»	»	»	64.—
Julie Gerlans	»	»	»	»	5.10
Liza Battache	»	»	»	»	4.05
Ahmed oğlu Cafer	»	»	»	»	42.10
Abidin İsa	»	»	Eskişehir	27/1/1937	107.98
S. Talvas	»	»	»	»	10.44
Minhsan oğlu Zekeriya	»	»	»	»	41.77
B. fil Tarakosta	»	»	»	»	52.20
Georges Zanopulos	»	»	»	»	261.07
Adolphe Ribert	»	»	Bursa	2/2/1937	93.32
Ömer Hilmi	»	»	»	»	24.96
Hz. Mehmed kızı Fatma	»	»	»	»	12.45
Mustafa oğlu İzzet	Harput Kaymakamı	»	Malatya	5/2/1937	100.86
Ahmed Muzaffer	Harput Kaymakamının oğlu	»	»	»	57.79
Mehmed oğlu Ömer	Meçhul	»	»	»	92.19
Feride A. Rumi	»	»	»	»	155.18
Dr. Mecdettin Adil	»	»	Erzurum	8/2/1937	62.65
Garabet Malkissedekian	»	»	»	»	17.56
Baytar İsmail Hakkı	»	»	»	»	109.39
Mehmed Nasuh	Topçu Yüzbaşısı	»	»	»	2.32

(Devamı var)

Başvekâlet Matbaası

Enclosure No. 2 to Despatch No. 544 dated February 21, 1938, from the Embassy at Ankara.

SOURCE: OFFICIAL GAZETTE, No. 3819, January 27, 1938.

TRANSLATION

LAW NO. 3324.

Article 1. The Treaty of Non-Aggression and Consultation of July 8, 1937, arranged between the Turkish Republic, Afghanistan, Iran and Irak and signed at Sad'abad, Teheran, is accepted and ratified.

Article 2. This law becomes effective on the date of its publication.

Article 3. The Executive Council is charged with the execution of the provisions of this law.

Enclosure No. 3 to Despatch No. 544 dated February 21, 1938, from the Embassy at Ankara.

SOURCE: PROTOCOL DEPARTMENT, TURKISH MINISTRY OF FOREIGN AFFAIRS.

COPY

TRAITE DE NON AGRESSION

PREAMBULE

LE PRESIDENT DE LA REPUBLIQUE TURQUE,
SA MAJESTE LE ROI D'AFGHANISTAN,
SA MAJESTE LE ROI DE L'IRAK,
SA MAJESTE IMPERIALE LE SCHAHINSCHAH DE L'IRAN,

Désireux de contribuer par tous les moyens en leur pouvoir au maintien des relations d'amitié et de bonne entente entre eux;

Animés du dessein d'assurer la paix et la sécurité dans le Proche-Orient au moyen de garanties additionnelles dans le cadre du Pacte de la Société des Nations, et de contribuer ainsi à la paix générale;

Pénétrés de leurs obligations en vertu du Traité de renonciation à la Guerre signé à Paris le 27 Août 1928 et des autres Traités auxquels ils sont Parties, qui sont tous en harmonie avec le Pacte de la Société des Nations et le Traité de renonciation à la Guerre;

Ont décidé de conclure le présent Traité et ont, dans ce but, nommé :

LE PRESIDENT DE LA REPUBLIQUE TURQUE:
SON EXCELLENCE Monsieur le Docteur TEVFIK RÜŞTÜ ARAS,
Ministre des Affaires Etrangères de Turquie;

SA MAJESTE LE ROI D'AFGHANISTAN :
SON EXCELLENCE Monsieur FAIZ MOHAMMAD KHAN,
Ministre des Affaires Etrangères de l'Afghanistan.

SA MAJESTE LE ROI DE L'IRAK :
SON EXCELLENCE Monsieur le Docteur NAJI-AL-ASIL,
Ministre des Affaires Etrangères de l'Irak;

SA MAJESTE IMPERIALE LE SCHAHINSCHAH DE L'IRAN :
SON EXCELLENCE Monsieur ENAYETOLLAH SAMIY,
Ministre des Affaires Etrangères de l'Iran;

Qui, ayant échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE 1

Les Hautes Parties Contractantes s'engagent à poursuivre une politique d'abstention absolue de toute ingérence dans leurs affaires intérieures.

ARTICLE 2

Les Hautes Parties Contractantes s'engagent expressément à respecter l'inviolabilité de leurs frontières communes.

ARTICLE 3

Les Hautes Parties Contractantes conviennent de se consulter dans tous les conflits d'ordre international ayant trait à leurs intérêts communs.

ARTICLE 4

Chacune des Hautes Parties Contractantes s'engage vis-à-vis de l'autre à ne recourir en aucun cas, soit isolément, soit conjointement avec une ou plusieurs tierces Puissances, à aucun acte d'agression dirigé contre l'une d'Elles.

Sont considérés comme actes d'agression :

1- La déclaration de guerre;

2- L'invasion, par les forces armées d'un Etat, même sans déclaration de guerre, du territoire d'un autre Etat;

3- L'attaque par les forces terrestres, navales ou aériennes d'un Etat, même sans déclaration de guerre, du territoire, des navires ou des aéronefs d'un autre Etat;

4- L'aide ou assistance, soit directe, soit indirecte, à l'agresseur.

Ne constituent pas des actes d'agression :

1- L'exercice du droit de légitime défense, c'est-à- dire la résistance à un acte d'agression tel qu'il est défini ci-dessus;

2- L'action en application de l'art. 16 du Pacte de la Société des Nations;

3- L'action en raison d'une décision prise par l'Assemblée ou par le Conseil de la Société des Nations, ou en application de l'art. 15 paragraphe 7 du Pacte de la Société des Nations, pourvu que dans ce dernier cas cette action soit dirigée contre l'Etat qui le premier s'est livré à une attaque;

4- L'action d'aide à un Etat soumis à l'attaque; l'invasion ou le recours à la guerre par une Autre des Hautes Parties Contractantes, contrairement au Traité de renonciation à la Guerre signé à Paris le 27 Août 1928.

ARTICLE 5

Si l'Une des Hautes Parties Contractantes estime qu'une violation de l'article 4 du présent Traité a été ou est sur le point d'être commise, Elle portera immédiatement la question devant le Conseil de la Société des Nations.

La disposition qui précède ne porte pas atteinte au droit de cette Haute Partie Contractante de prendre toutes mesures qu'Elle juge nécessaires dans ces circonstances.

ARTICLE 6

Si l'Une des Hautes Parties Contractantes se livre à une agression contre une tierce Puissance, l'Autre Haute Partie Contractante pourra, sans préavis, dénoncer le présent Traité vis-à-vis de l'agresseur.

ARTICLE 7

Chacune des Hautes Parties Contractantes s'engage à prévenir, dans ses limites respectives, la formation ou l'action de bandes armées, associations ou organisations pour le renversement des institutions établies, en vue de porter atteinte à l'ordre ou à la sécurité de toute partie, frontalière ou autre, du territoire de l'Autre Partie ou en vue de porter atteinte au régime de Gouvernement de cette autre Partie.

ARTICLE 8

Les Hautes Parties Contractantes ayant déjà reconnu dans le Pacte général de renonciation à la guerre du 27 Août 928 que le règlement ou la solution de tous les différends ou conflits quelle que soit leur nature ou leur origine, qui pourront surgir entre Elles, ne devra jamais être recherché que par des moyens pacifiques, confirment cette disposition et déclarent s'en référer aux procédures créées ou à créer à cet égard entre les Hautes Parties Contractantes.

ARTICLE 9

Aucun des articles du présent Traité ne peut être considérécomme diminuant en quoi que ce soit les obligations assumées par Chacune des Hautes Parties Contractantes, en vertu du Pacte de la Société des Nations.

ARTICLE 10

Le présent Traité, rédigé en français, signé en quatre exemplaires, dont Chacune des Hautes Parties Contractantes reconnaît avoir reçu l'un, est conclu pour la durée de cinq années.

A l'expiration de ce délai, à moins qu'Une des Hautes Parties Contractantes n'ait notifié sa dénonciation avec préavis de six mois, le Traité sera considéré comme renouvelé de plein droit pour une nouvelle période de cinq ans, d'époque en époque, jusqu'à ce qu'Une ou Plusieurs des Hautes Parties Contractantes aient notifié sa dénonciation, avec préavis de six mois. Le Traité, dénoncé avec l'Une des Parties, continue à exister entre les Autres.

Le présent Traité sera ratifié par chacune des Hautes Parties Contractantes conformément à sa constitution, et enregistré à la Société des Nations par le Secrétaire Général, qui sera prié d'en donner connaissance aux autres membres de la Société.

Les instruments de ratification seront déposés par chacune des Hautes Parties Contractantes auprès du Gouvernement Iranien.

Aussitôt que les instruments de ratifications auront été déposés par deux Hautes Parties Contractantes le présent Traité entrera en vigueur entre ces deux Parties. Il entrera en vigueur avec la Troisième quand celle-ci déposera l'instrument de ratification, et ainsi avec la Quatrième.

Chaque dépôt des instruments de ratification sera immédiatement notifié par le Gouvernement de l'Iran à tous les signataires du présent Traité.

Fait au Palais de Saad-Abad (Téhéran) le Huit Juillet Mil Neuf Cent Trente-Sept.

Dr. R. ARAS

FAIZ

NAJI-al-ASIL

SAMIY

Enclosure No. 4 to Despatch No. 544 dated
February 21, 1938, from the Embassy at Ankara.

SOURCE: PROTOCOL DEPARTMENT,
TURKISH MINISTRY OF
FOREIGN AFFAIRS.

FULL TRANSLATION

TREATY OF NON-AGGRESSION.

PREAMBLE:

THE PRESIDENT OF THE TURKISH REPUBLIC,
HIS MAJESTY THE KING OF AFGHANISTAN,
HIS MAJESTY THE KING OF IRAK,
HIS IMPERIAL MAJESTY THE SHAH-IN-SHAH OF IRAN,

Desirous of contributing by all means in their power to the maintenance of friendly relations and understanding between them,

Animated by a desire to assure the peace and the security of the Near East by additional guarantees within the frame of the Covenant of the League of Nations, and thus to contribute to general peace,

Fully cognizant of their obligations undertaken by virtue of the Treaty for the Renunciation of War, signed at Paris, August 27, 1928, and of other treaties to which they are parties, all of which are in harmony with the Covenant of the League of Nations and of the Treaty for the Renunciation of War, have decided to conclude the present Treaty, and with this end in view, have appointed:

THE PRESIDENT OF THE TURKISH REPUBLIC:

HIS EXCELLENCY Dr. TEVFIK RÜŞTÜ ARAS,
Minister of Foreign Affairs of Turkey;

HIS MAJESTY THE KING OF AFGHANISTAN:

HIS EXCELLENCY FAIZ MOHAMMED HAN,
Minister of Foreign Affairs of Afghanistan,

HIS MAJESTY THE KING OF IRAK:

HIS EXCELLENCY Dr. NAJI-AL-ASIL,
Minister of Foreign Affairs of Irak,

HIS IMPERIAL MAJESTY THE SHAH-IN-SHAH OF IRAN:

HIS EXCELLENCY ENAYETOLLAH SAMIY,
Minister of Foreign Affairs of Iran,

Who, having exchanged their full powers, found in good and due form, agreed upon the following provisions:

ARTICLE 1.

The High Contracting Parties undertake to pursue a policy of absolute abstention from interference in their internal affairs.

ARTICLE 2

The High Contracting Parties expressly undertake to respect the inviolability of their common frontiers.

ARTICLE 3

The High Contracting Parties agree to confer on all international conflicts affecting their common interests.

ARTICLE 4.

Each of the High Contracting Parties undertakes, in relation to the other parties, to abstain in all cases, either alone or in conjunction with one or more third powers, from any act of aggression directed against one of the other High Contracting Parties.

The following shall be considered as acts of aggression:

1. A declaration of war,

2. Invasion by the armed forces of a State, even without a declaration of war, of the territory of another State,

3. Attack, by the land, naval or air forces of a State, even without a declaration of war, on the territory, ships or aircraft of another State.

4. Aid or assistance, either direct or indirect, to the aggressor.

The following shall not constitute acts of aggression:

1. The exercise of the right of legitimate defense, that is to say, resistance to an act of aggression such as is defined above,

2. Action undertaken in accordance with Article 16 of the Covenant of the League of Nations;

3. Action undertaken by reason of a decision taken by the Assembly or the Council of the League of Nations or in accordance with Paragraph 7 of Article 15 of the Covenant of the League of Nations provided that in the latter case such action is directed against the State which first made an attack.

4. Active aid to a State which is the victim of attack or invasion, or an act of war by one of the High Contracting Parties, contrary to the Treaty for the Renunciation of War signed at Paris on August 27, 1928.

ARTICLE 5

Should one of the High Contracting Parties consider that a violation of Article IV of the present Treaty has been or is on the point of being committed it will immediately place the question before the Council of the League of Nations.

The preceding provision does not impair the right of this High Contracting Party to take such action as may be judged necessary in the circumstances.

ARTICLE 6

Should one of the High Contracting Parties undertake an act of aggression against a third power, the other High Contracting Party may without notice denounce the present Treaty insofar as the aggressor is concerned.

ARTICLE 7

Each of the High Contracting Parties undertakes to prevent, within its respective frontiers, the formation or the action of armed bands, associations or organizations for overthrowing the established institutions, with a view to disturbing the general order or security, whether on the frontier or elsewhere, in the territory of the other Party, or with a view to injuring the Government régime of this other Party.

ARTICLE 8

The High Contracting Parties, having already recognized in the general pact for the renunciation of war of August 27, 1928, that the regulation or solution of all differences or conflicts, of whatever nature or origin, which may arise between them, may never be adjusted except by pacific means, reaffirm this principle and declare that they will have recourse to the procedures which have been or will be created for this purpose between the High Contracting Parties.

ARTICLE 9

No Article of the present Treaty may be interpreted as diminishing in any manner the obligations which each of the High Contracting Parties have assumed by virtue of the Covenant of the League of Nations.

ARTICLE 10

The present Treaty, drawn up in French, signed in quadruplicate, of which each of the High Contracting Parties acknowledges having received one copy, is concluded for the period of five years.

At the expiration of this period, unless one of the High Contracting Parties has notified its denunciation with six months' previous notice, the Treaty shall be considered as renewed, with all its provisions effective, for a new period of five years, and so on indefinitely, until one or more of the High Contracting Parties has notified its denunciation, with six months' previous notice. After the Treaty has been denounced by one of the Parties, it will continue to be in force among the Others.

The present Treaty shall be ratified by each of the High Contracting Parties in conformity with its constitution, and registered with the League of Nations by the Secretary General, who will be requested to inform the other members of the League thereof.

The instruments of ratification shall be deposited with the Iranian Government by each of the High Contracting Parties.

As soon as instruments of ratification shall have been deposited by two High Contracting Parties the present Treaty shall enter into force between these two parties. It will enter into force in respect to the Third and Fourth Contracting Parties upon deposit of ratifications by these Parties.

Each deposit of ratifications will be immediately communicated by the Government of Iran to all the signatories of the present Treaty.

Done at the Palace of Sad'abad, Teheran, the eighth day of July, One Thousand Nine Hundred and Thirty-Seven.

Dr. R. ARAS

FAIZ

NAJI-al-ASIL

SAMIY

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TELEGRAM RECEIVED

EG

GPO

FROM GRAY

Teheran

Dated March 17, 1938

Rec'd 9:35 a.m.

DEPARTMENT OF STATE
MAR 17 1938
DIVISION OF NEAR EASTERN AFFAIRS

DIVISION OF EUROPEAN AFFAIRS
APR 7 1938
DEPARTMENT OF STATE

Secretary of State,

Washington.

26, March 17, 9 a.m.

Parliament ratified yesterday all treaties referred to in the Legation's despatches 1097, July 14 and 1103, July 28.

767.90g12 Non Eg./53 & 57

note
790g.9115
790g.9111
790g.9112
767.9112 Non-Aggression

ENGERT

KLP:SMS

HISTORICAL ADVISER
APR 7 - 1938
DEPT. OF STATE

TREATY DIVISION
Eye File
MAR 21 1938
copy C/B
DEPARTMENT OF STATE

767.90G12 NON-AGGRESSION/72

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FILED
APR 9 - 1938

DOCUMENT FILE

NOTE

SEE 790g.9115/110 FOR Tel.7, 2 p.m.

FROM Iraq (Knabenshue) DATED Mar.9, 1938
TO NAME

1—1127 GPO

REGARDING: Saadabad Pact.

Ratification of - by Iraq at the same time of ratification of treaty of friendship and frontier treaty with Iran.

767.90G12 NON-AGGRESSION/73

Wi

767.90g12 Non-
aggression

DOCUMENT FILE

NOTE

SEE 767.83/13 FOR #1358

FROM Egypt (Fish) DATED Apr.14, 1938
TO NAME

1—1127 GPO

REGARDING:

Saadabad Pact.

Invitation has been extended to Egypt to join the - by the Turkish Foreign Minister but Egypt has declined to adhere at present.

767.90G12 NON-AGGRESSION/74

Wi

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, March 28, 1938.

5
RECEIVED
DEPARTMENT OF STATE
1938 MAY 14 PM 12 09

No. 1261.

DIVISION OF
COMMUNICATIONS
AND RECORDS

Subject: Ratification of the Saadabad Pact.

TREATY DIVISION
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JUN 3 1938
DEPARTMENT OF STATE

DEPARTMENT OF STATE
MAY 1 0 1938
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
A-M/C
MAY 31 1938
ASSISTANT SECRETARY
OF STATE

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In D. C. A.
Copy to M. I. D.
JUN 1 1938

FILED
JUN 13 1938

767.90G12 NON-AGGRESSION/75

The Honorable

The Secretary of State,

Washington.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
MAY 31 1938
DEPARTMENT OF STATE

Sir:

In confirmation of the Legation's telegram 26 of March 17, 9 a.m., and referring to its despatch No. 1097 of July 14, 1937, I have the honor to report that on March 16, 1938, the Majlis ratified unanimously the Four-Power Treaty between Iran, Turkey, Iraq, and Afghanistan, known as the Saadabad Pact, which was signed in Teheran

on

on July 8, 1937.

No comment was made in the newspapers in connection with this ratification. But I understand that the Iranian Government had only been waiting for the Iraqi Government to ratify the Pact and the treaties between Iran and Iraq before ratifying them itself. The ratification of the latter treaties will be referred to in a separate despatch.

Telegrams of congratulations were exchanged on this occasion between the Acting Minister of Foreign Affairs of Iran and the Ministers of Foreign Affairs of the other three governments. The longest and most cordially worded were those to and from Dr. Rushdi Aras, while the briefest and least cordial were, significantly enough, those exchanged with the Iraqi Foreign Minister! It is also a sad reflection that not one of the telegrams thought it necessary to mention the name of the late Enayatollah Samiy, the Iranian Minister of Foreign Affairs who, after all, had signed these treaties and whose tireless efforts in connection therewith last summer may well have so weakened his constitution that he was unable to resist the illness which carried him off last month. (See despatch No. 1247, March 1, 1938). 891.00/1680

Incidentally, I learn unofficially that the meeting of the Foreign Ministers of the four signatory powers which was to have taken place at Kabul this spring has been postponed until the spring of 1939.

Respectfully yours,

X

C. Van H. Engert
Chargé d' Affaires a.i.

File No. 710-Triplicate.

Copy sent to Embassy, Ankara.
Copy sent to Legation, Baghdad.
CVHE/RJG.

LEGATION OF THE
UNITED STATES OF AMERICA

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DEPARTMENT OF STATE

Teheran, March 29, 1938.

1938 MAY 14 PM 12 09

No. 1263.

DIVISION OF
COMMUNICATIONS
AND RECORDS

ADVISER ON POLITICAL RELATIONS
MR. DUNN
JUN 1 1938
DEPARTMENT OF STATE

Subject: Ratification of Treaties with Iraq.

File Gr. SAS 3/18/39

TREATY DIVISION
File
JUN 4 1938
copy C/B
DEPARTMENT OF STATE

DEPARTMENT OF STATE
MAY 16 1938
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
ASSISTANT SECRETARY
OF STATE
JUN 1938
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767.90G12 NON-AGGRESSION/76

FILED
JUN 13 1938

The Honorable

The Secretary of State,

Washington.

Sir:

767.90g12 Non-Aggression/72

With reference to the Legation's telegram 26 of March 17, 9 a.m. and to despatch No. 1103 of July 28, 1937, I have the honor to report that the Majlis on March 16, 1938, ratified the following treaties between Iran and Iraq which were signed at Teheran in July of last year:

(1)

7909.9115
7909.9111
7909.9112

(1) Frontier Treaty and Protocol of July 4, 1937;
(2) Treaty of Friendship of July 18, 1937; and
(3) Treaty for the Pacific Settlement of Disputes of July 28, 1937.

Although in the Legation's despatch No. 1165 of October 27, 1937 (p.2) it was stated that the Treaty of Friendship had apparently not been transmitted to the Majlis for ratification, I learn that - owing to some technical imperfections - it was submitted at a later date than the other two treaties, but that fact was never announced or explained in the newspapers.

7909.9115

The only editorial comment in the local press occasioned by the ratification of these treaties is found in the ETTELAAT of March 17 and in the IRAN of March 18, 1938. Both refer only to the boundary treaty, and translations of them are attached to this despatch (Enclosures Nos. 1 and 2). They take exception to certain criticisms alleged to have been voiced in the Iraqi Parliament when the latter ratified the frontier agreement, and point out that if either of the contracting parties had cause for complaint it was this country rather than Iraq. The editor and proprietor of IRAN, Majid Movaqqar, who is also a Deputy, states in his article that the only reason there was no criticism in the Majlis when the frontier treaty came up for ratification was that the Iranian Government practices a policy of "peace and tolerance", and of "forbearance for the sake of friendship".

Respectfully yours,

C. Van H. Engert
Chargé d'Affaires a.i.

Enclosures:

Enclosures:

1. Article from ETTELAAT, March 17, 1938.
2. Article from IRAN, March 18, 1938.

File No. 710-Triplicate.

Copy sent to Legation, Baghdad.

CVHE/RJG.

Enclosure No. 1 with despatch No. 1261 of March 28, 1938, from American Legation, Teheran.

(Translation)

Excerpts from the editorial in ETTELAAT (evening edition), March 17, 1938.

REMOVAL OF BOUNDARY DIFFERENCES

Ratification of Irano-Iraq Agreements

. . . . . Of course this dispute has not been settled entirely as we desired, nor is the settlement to our full advantage. One thing, however, we should not forget, namely that the Imperial Government has always . . . . . been willing to strengthen its relations with the young and neighboring Government of Iraq, even at a great sacrifice. . . . .

It was, therefore, necessary either for one or both parties to forbear and overlook certain claims. May God grant that our honorable Iraqi colleagues do not take offense if we say that they were less disposed to give in than we. An old worn-out document had so utterly deluded certain simple-minded elements in Iraq that with all the good will shown by the statesmen of both Governments, negotiations did not lead to any definite result.

Fortunately the Imperial Iranian Government saw that harmony with a country like Iraq, with so many ties of past moral relations, is worth giving up certain points and ending the controversy even by making a sacrifice for the sake of mutual fraternity and friendship. . . . .

The Majlis being thoroughly conversant with the sagacious policy of the Government raised no objection, made no row, and ratified the agreement. . . . .

In conclusion we should like to clarify this point: a number of prejudiced or politically uninformed people in Iraq hold this agreement as being harmful to Iraq, thereby trying to embroil the relations with us. We address ourselves to those people and suggest that they look up the history of frontier differences between Iran and the former Ottoman Empire; then they will see that if the deal is to the disadvantage of any party at all, that party would be Iran and not Iraq.

- - - - - - -

Enclosure No. 2 with despatch No. 1261 of March 28, 1938, from American Legation, Teheran.

(Translation)

Excerpts from the editorial in IRAN, March 18, 1938.

IRANO-IRAQ FRONTIER AGREEMENT.

The day before yesterday all agreements concluded between the Imperial Government and the Government of Iraq were ratified without one word of criticism.

It is true that these agreements strengthen our friendly relations with Iraq, ... nevertheless this does not mean that no one had any observations to make with respect thereto.

Most of my colleagues agree with me that nowhere in the world is this method of delimitation customary. Wherever a river divides two states an imaginary mid-stream line is the boundary. Reason, logic and nature support this rule.

This doctrine of the "thalweg" has not, however, been observed in the Irano-Iraq boundary agreement as far as the Shatt-el-Arab is concerned. The sound principle has been slightly applied only at Khorramshahr and Abadan.

But why is it that no mention was made of this important matter in the Majlis, when all were aware of it? Because, aside from the fact that the Majlis reposes confidence in the Government, it has been aware of the generous and philosophic policy which the Government pursues in dealing with its Oriental neighbors. The Majlis knew that the Iranian Government's position is one of peace and tolerance. . . . . , that friendships founded on historical, geographic and economic bases are placed over and above everything else. . . . .

The Irano-Ottoman delimitation of 1913 was effected through the intervention of two powers, each having a special interest in the matter. It was thus that the project for delimitation was proposed to the Iranian and Ottoman Governments. To put it more accurately, they wanted to impose it. It was, however, never approved by the Iranian Government, nor ever submitted to the Majlis. It could not be approved by the Iranian Government because it was irrational, unjust, and inequitable. . . . .

When the young Government of Iraq came into existence we naturally desired to maintain the most cordial relations with that Government. This difficulty again presented itself. . . . . Prejudiced elements misrepresented and misinterpreted our legitimate viewpoint as an encroachment upon the rights of Iraq. Even latterly, when the well-wishing and wise Government of Iraq took the boundary agreement before the Iraq Parliament, certain simple-minded individuals of that country, influenced by

prejudiced

prejudiced propaganda, imagined that it compromised the rights and interests of their Government, whereas if any one at all is to suffer any loss or fraud in this deal it would be the Iranian Government, which has given up a part of its legitimate rights as a sacrifice to good understanding and friendship.

My colleagues agree with me that this forbearance on the part of the Imperial Government should not be misconstrued to indicate that we have allowed ourselves to be defrauded. It is merely forbearance for the sake of friendship. . . . .

In view of the foregoing considerations. . . . . not only did the Majlis refrain from interposing any objection, it was with the greatest pleasure that it proceeded with the ratification. We are, therefore, very happy indeed to see this long-mooted dispute, so irksome and boring, to come to an end, giving way to a new atmosphere of closer cooperation and cordiality. The people of Iraq will find our intimate friendship and sympathies worth far more than they expect. We can ever be a useful and effective friend for the young and progressive people of that country.

- - - - - -

LEGATION OF THE

UNITED STATES OF AMERICA

Baghdad, April 6, 1938

RECEIVED
DEPARTMENT OF STATE
1938 MAY 16 PM 1 06

DEPARTMENT OF STATE
MAR 14 1938
DIVISION OF
NEAR EASTERN AFFAIRS

DIVISION OF
COMMUNICATIONS
AND RECORDS

Dear Wallace:

I have just received your letter of March 14, and upon re-reading my letter of February 5th realize that the wording of the last paragraph thereof did not convey correctly the thought I had in mind. What I intended to say was that until the Frontier Treaty between Iraq and Iran were ratified, neither the Iraqi Government nor the Iranian Government could ratify the Sa'adabad Pact, and therefore, the coming into full force of this Pact was being held up. While it is true that the Sa'adabad Pact was to go into effect as soon as two powers should deposit their ratifications, this would only be true in respect to those two powers and would not be binding on all four of the powers until they had all ratified it, and obviously, for the Pact to be really effective, it would have to be in force in respect to all four powers. Consequently, the delay of Iraq in ratifying its Frontier Treaty with Iran was in effect holding up the Sa'adabad Pact.

Thus you will see that in my letter of February 5th my thoughts ran ahead of my dictation leaving gaps in the written words which, of course, made my observations incomplete for which I offer my apologies.

Sincerely yours,

Paul Knabenshue

Paul Knabenshue

Wallace Murray, Esquire,
Chief, Division of Near Eastern Affairs,
Department of State,
Washington, D. C.

File no. 710
PK/wjp

767.90G12-

767.90G12 NON-AGGRESSION/77

FILED
MAY 16 1938

DOCUMENT FILE

NOTE

SEE 767.83/15 FOR #630

FROM Turkey (Kelley) DATED May 6, 1938
NAME

TO

1—1127 GPO

REGARDING: Saadabad Pact.

Inquiry of the Turkish Foreign Minister, during visit to Egypt, as to possibility of Egypt becoming a party to the -.

767.90G12 NON-AGGRESSION/78 78

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DOCUMENT FILE

NOTE

SEE 890g.00 General Conditions/127 FOR #1035

FROM Iraq (Knabenshue) DATED May 20,1938
TO NAME

1—1127 GPO

REGARDING: Saadabad Pact.
Statement by Chinese Charge d'Affaires that China will adhere to the -. Comments.

767.90G12 NON-AGGRESSION/79

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8. CHINA AND THE SAADABAD PACT

According to the Al Ahram private correspondent at Istanbul the Chargé d'Affaires of the Chinese Legation at Ankara has informed press representatives that China will adhere to the Saadabad Pact.

--At-Zaman, May 1, 1936.

Comment: Under the terms of the Pact, there seems to be no provision for the adherence of other countries in addition to the (four) original signatories.

767.90G/2 Non-aggression

DOCUMENT FILE

NOTE

767.90G12 NON-AGGRESSION /80

SEE 791.93/1 FOR #1313

FROM Iran (Engert) DATED June 14, 1938
TO NAME

1—1127 070

REGARDING: Saadabad Pact.

Statement of a member of a Chinese delegation in Iran that he hoped that some day China would be given an opportunity to adhere to an enlarged -.

LEGATION OF THE
UNITED STATES OF AMERICA

RECEIVED
DEPARTMENT OF STATE

1938 AUG 5 PM 2 10

Teheran, June 27, 1938.

No. 1326.

DIVISION OF
COMMUNICATIONS
AND RECORDS

Subject: Exchange of Ratifications of Saadabad Pact.

FOR DISTRIBUTION - CHECK Yes No
To the Field
U. S. A.

DEPARTMENT OF STATE
AUG 6 1938
DIVISION OF
NEAR EASTERN AFFAIRS

TREATY DIVISION
File
AUG 20 1938
Copy C/B
DEPARTMENT OF STATE

767.90G12 NON-AGGRESSION/81

DEPARTMENT OF STATE
A-M/C
AUG 18 1938
ASSISTANT SECRETARY OF STATE

The Honorable

The Secretary of State,

Washington.

FILED
SEP 13 1938

Sir:

Referring to the Legation's despatches Nos. 1220 of January 25, and 1261 of March 20, 1938, I have the honor to report that the diplomatic representatives in Teheran of the four signatories of the Saadabad Pact met at the Iranian Ministry of Foreign Affairs on June 25, 1938, and exchanged the ratifications of their

their respective governments of the said treaty.

On this occasion Mr. Ali Soheily, the Iranian Foreign Minister, made a brief address from which I quote the following passages:

> "This Pact proves to the whole world the rapprochement and fraternity of our four nations. . . . . I need hardly add that it illustrates the firm will of our respective heads of states to safeguard peace by means of concord and common sentiments. This peace is dear to us in the Orient, and is even more necessary for the whole world".

The Turkish ambassador , Mr. Mehmet Enis Akaygen, responded briefly on behalf of his colleagues.

The Iranian Minister of Foreign Affairs also addressed appropriate congratulatory telegrams to the Foreign Ministers of the other three signatories.

Respectfully yours,

C. Van H. Engert
Chargé d' Affaires a.i.

File No. 710

In triplicate.

CVHE/RJG.

LEGATION OF THE
UNITED STATES OF AMERICA
Baghdad, Iraq, July 11, 1938.

No. 1076

Subject: Near Eastern Sa'adabad Pact:
Iraq's Ratification Deposited
at Teheran.

DEPARTMENT OF STATE
File
AUG 22 1938
DIVISION OF
NEAR EASTERN AFFAIRS

767.90G12 NON-AGGRESSION/82

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In U. S. A.

DEPARTMENT OF STATE
A-M/C
AUG 27 1938
ASSISTANT SECRETARY
OF STATE

TREATY DIVISION
File
AUG 30 1938
Copy
DEPARTMENT OF STATE

The Honorable
The Secretary of State,
Washington, D. C.

Sir:

I have the honor to refer to despatch no. 944 of January 27, 1938, with which was transmitted the official French text of the Four-Power Sa'adabad Pact, signed at Teheran on July 8, 1937, by Iraq, Afghanistan, Iran and Turkey, and to report that, according to an official notification of the Iraqi Ministry for Foreign Affairs which was published in the local press on June 30, 1938, Iraq's ratification of that Treaty was deposited at Teheran on June 25, 1938.

169
FILED
AUG 1 1938

Article

Article 10 of the Treaty provides that as soon as two of the High Contracting Parties shall have deposited their instruments of ratification, the Treaty will enter into effect as between those Parties. The Legation has not been informed whether any of the other parties have as yet deposited their instruments of ratification. On the other hand, in despatch no. 1220 of January 25, 1938, from the Legation at Teheran, it was reported that Turkey and Afghanistan had ratified the Treaty and the ratification by Iran was similarly reported by despatch no. 1261 of March 28, 1938.

Respectfully yours,

Walworth Barbour
Chargé d'Affaires
ad interim

File no. 710
WB/wjp.

Copy to: American Legation, Teheran
American Embassy, Istanbul.

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, July 9, 1938.

No. 1336.

Subject: Deposit of Ratifications of Saadabad Pact.

767.90G12 NON-AGGRESSION/83

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AND RECORDS

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AUG 22 1938
DIVISION OF
NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
A-MAIL
AUG 22 1938
ASSISTANT SECRETARY
OF STATE

TREATY DIVISION
AUG 26 1938
DEPARTMENT OF STATE

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to refer to the Legation's Despatch No. 1261 dated March 28, 1938, and to report that on June 25, 1938, the representatives of the Turkish, Afghan and Iraqi Governments deposited with the Iranian Ministry of Foreign Affairs instruments of ratification of the Four-Power Treaty known as the Saadabad Pact.

FILED
AUG 30 1938

On

On July 3, 1938, the deposit of ratifications was announced to the Iranian Parliament by Ali Soheily, Iranian Minister of Foreign Affairs. In a brief speech punctuated by cheers, the Foreign Minister praised the neighborly policy of His Imperial Majesty the Shah, and characterized the Pact as the fruit of such policy. The rulers and governments of Afghanistan, Turkey and Iraq were mentioned. A tentative translation of the Foreign
1/ Minister's speech is attached hereto as an enclosure.

After the Foreign Minister had resumed his seat, the President of the Iranian Parliament expressed similar views, not failing to attribute credit for the Pact to the Shah. A translation of the remarks of the Presi-
2/ dent of the Parliament is attached hereto.

The local press offered little or no comment.

Respectfully yours,

James S. Moose, Jr.,
Chargé d' Affaires a.i.

Enclosures:

1. Speech made by Foreign Minister.
2. Speech made by President of Iranian Parliament.

File No. 710.

In triplicate.

Copy sent to Embassy, Istanbul.

Copy sent to Legation, Baghdad.

JSM2/RJG.

Enclosure No. 1 with despatch No. 1336 of July 9, 1938, from American Legation, Teheran.

(Tentative Translation)

Source:

ETTELAAT,
July 3, 1938.

SPEECH MADE BY FOREIGN MINISTER A. SOHEILY IN THE IRANIAN PARLIAMENT ON JULY 3, 1938, CONCERNING THE DEPOSIT OF INSTRUMENTS OF RATIFICATION OF THE SAADABAD PACT

"Gentlemen:

"It is with the utmost pleasure that I inform the National Consultative Assembly (Parliament) that the Saadabad Pact has passed through the legal procedure prescribed in the countries which are parties thereto, that the instruments of ratification were deposited with the Imperial Ministry of Foreign Affairs by the representatives of the Turkish, Afghan and Iraqi Governments on June 25, 1938 (Tir 4, 1317), and that the formalities of procedure have been fulfilled as provided for in Article 10 of the Pact.

"As the gentlemen are aware, the pact, which became effective on that date, insures the cooperation of the contracting parties in safeguarding their common interests, and constitutes a new and valuable pledge for the maintenance of peace and security in the signatory states as well as the strengthening of ties of friendship and fraternity between the four friendly neighboring Governments (cheers). It will undoubtedly render a signal service to the tranquility of Western Asia and to world peace.

"Like innumerable other great achievements, Iran owes this outstanding step to the lofty and far-sighted initiative of its august sovereign (cheers). It is needless to say, for the gentlemen already know, that in recent years our old differences with neighboring governments have gradually been removed, and that His Imperial Majesty's special attention has always been directed toward the substitution of peace for past disagreements between the states of Western Asia. The settlement of long-standing frontier problems with Turkey, the conclusion of treaties of neutrality and non-aggression with that government and with Afghanistan, the solution of boundary disputes and the conclusion of various agreements with the Government of Iraq all indicate His Majesty's interest in clear and cordial relations between the neighboring countries. It is, in fact, the various stages of development of this very policy of friendship and sincerity that have been placed on a firm foundation through the conclusion of the Saadabad Pact (cheers).

"Here

"Here I am most happy to state that His Imperial Majesty's high designs and the efforts exerted by the Imperial Government during these few years to carry them out have produced a favorable reaction in the friendly and neighboring states of Turkey, Afghanistan and Iraq. The gracious attitude of the great ruler of Turkey and of the august sovereigns of Afghanistan and Iraq, and the sympathy and cooperation of their Governments facilitated the accomplishment of this task".

- - - - - - - -

Enclosure No. 2 with despatch No. 1336 of July 9, 1938, from American Legation, Teheran.

(Tentative Translation)

Source:

JOURNAL DE TEHERAN
July 4, 1938.

SPEECH OF H. NURI-ESFANDIARI, PRESIDENT OF THE IRANIAN PARLIAMENT, ON JULY 3, 1938.

"Gentlemen:

"I am convinced that all the people of Iran are as proud as I am, to witness the steps toward well-being and progress achieved by the benevolent will of our well beloved sovereign. We are likewise proud to affirm that the Saadabad Pact is one of those rare master-strokes which occur in the political lives of countries; and in speaking of it, one is unable to find anything with which to compare it. Although Iran is always desirous of maintaining friendly relations with its neighbors, sometimes there exist differences which separate us, even in spite of successive administrations.

"Since the beginning of his reign one of the highest aims of His Imperial Majesty has been to solve these problems, to eliminate these divergences, and to establish good relations with the neighboring states. The Pact of Saadabad is the crowning event of his wishes and his unshakable will.

"Not only has this Pact revived the good relations which formerly existed between the four signatory powers, but it will have an echo in the present burning problem of world peace.

"We hope that our four countries will always cherish the cordial and peaceable sentiments created by the Pact, and by so doing will give the whole world an example of concord and perfect union".

- - - - - - - - -

DOCUMENT FILE

NOTE

767.90G12 NON-AGGRESSION/84

SEE 790g.00/8 FOR #1091

FROM Iraq (Barbour) DATED July 21, 1938
TO NAME

1—1127

REGARDING: Saadapact Pact.

Comments on possibility that visit of the Iraqi Foreign Minister is connected with meeting of members of the -.

DOCUMENT FILE

NOTE

SEE 890g.00 General Conditions/131 FOR #1090

FROM Iraq (Barbour) DATED July 20, 1938
TO NAME 1—1127

REGARDING: Sa'adabad Pact.
Turkish Ambassador, Iraqi Minister and the Charge d'Affaires of the Afghan Legation at Teheran have left with Iranian Minister for Foregin Affairs the text of ratification of the--.

lec

767.909 12 NON-AGGRESSION/85

is now before the Council of Ministers for final decision.

5. King Felicitates President on Independence Day.

On the occasion of Independence Day, King Ghazi on July 4 sent a message to H. E. Franklin D. Roosevelt for the occasion. His Excellency replied on July 8.

--An-Nahar of July 10, 1938.

b. Other International

6. Turkey and Afghanistan Deposit Ratifications of the Sa'adabad Pact.

According to a telegram despatched from Teheran by the correspondent of the Turkish Times, the Turkish Ambassador, the Iraqi Minister and the Chargé d'Affaires of the Afghan Legation at Teheran accompanied by the members of their missions have left with the Iranian Minister for Foreign Affairs the text of ratification of the Sa'adabad Pact in accordance with Article 10 of that Pact.

767.90g/12 Non-aggression

--Al-Akhbar of July 8, 1938.

Comment: The deposit of Iraq's ratification was reported in despatch no. 1076 of July 11, 1938, but at that time the Legation was not informed whether Turkey or Afghanistan had yet taken similar action.

DOCUMENT FILE

NOTE

SEE 790g.00/9 FOR #1124

FROM Iraq (Satterthwaite) DATED August 31,1938
TO NAME

1—1127

REGARDING: Sa'adabad Pact, signed at Teheran in July 1937. Iraqi Foreign Minister, Sayid Towfiq as-Suwaidi, plans to attend a meeting at Geneva of the Foreign Ministers of Turkey, Iran and Afghanistan at the second of the annual meetings provided for in the --.

lec

767.90G12 NON AGGRESSION/86

DOCUMENT FILE

NOTE

SEE 111.23/79 FOR Tel.#110 3pm

FROM Iran (Moose) DATED Oct. 12, 1938

~~TO xxx~~ NAME 1—1127 ...

REGARDING: Shah's reply to President's letter delivered by Mr. Murray: Shah declares his aims have always been those described as the policy of the good neighbor and hopes the Saadabad pact will be a contribution to the world peace advocated by the American Government.

McC

767.90G12 NON-AGRESSION/87

87

767.90G12 Non-Aggression

LEGATION OF THE
UNITED STATES OF AMERICA

NE
RA-D
A-M/C
EO

Teheran, September 7, 1938.

No. 1595.

Subject: Departure of Iranian Minister of Foreign Affairs for Geneva.

ADVISER ON POLITICAL RELATIONS
MR. DUNN
OCT 3 1 1938
DEPARTMENT OF STATE

DEPARTMENT OF STATE
OCT 29 1938
DIVISION OF
NEAR EASTERN AFFAIRS

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DEPARTMENT OF STATE

DEPARTMENT OF STATE
A-M/C
OCT 31 1938
ASSISTANT SECRETARY
OF STATE

The Honorable

The Secretary of State,

Washington.

767.9012
non-aggression

Sir:

I have the honor to refer to the Legation's despatch No. 1097 of July 14, 1937 and to report that yesterday, September 6, 1938, Mouzaffar Aalam, Iranian Minister of Foreign Affairs, left Teheran by German airplane for Geneva where he will attend the sessions

note

FILED
NOV 2 1938

767.9012 NON-AGGRESSION/88

500C.001

sessions of the League of Nations as well as the second meeting of the Foreign Ministers of the states signatory to the Saadabad Pact.

During the twenty-odd days the Foreign Minister is expected to be absent, the Ministry of Foreign Affairs will be under the direction of Mohsen Rais.

891.021

Respectfully yours,

James S. Moose, jr.,
Chargé d' Affaires a.i.

File No. 500.
In triplicate.

JSM2/RJG.

2

LEGATION OF THE
UNITED STATES OF AMERICA

Teheran, September 21, 1938.

No. 1410.

Subject: Meeting of Representatives of Countries Signatory to Pact of Saadabad.

AE
PAD
A-M/C
EU

ADVISER ON POLITICAL RELATIONS
MR. DUNN
NOV 1 1938
DEPARTMENT OF STATE

DIVISION OF
EUROPEAN AFFAIRS
NOV 4 1938
DEPARTMENT OF STATE

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OCT 29 1938
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NEAR EASTERN AFFAIRS

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ASSISTANT SECRETARY
OF STATE

767.90G12 NON-AGGRESSION/89
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NOV 5 1938

The Honorable

The Secretary of State,

Washington.

Sir:

In continuation of the Legation's despatch No. 1395 dated September 7, 1938, I have the honor to report that a meeting of the representatives of the countries signatory to the Pact of Saadabad was announced in Teheran today. The Iranian Foreign Minister

Minister, Mouzaffar Aalam, presided over the meeting which was held in the part of the League of Nations Palace assigned to the Iranian delegation.

The representatives of Iran, Turkey, Iraq and Afghanistan discussed the agenda of the League Assembly and committees; and conforming to the policy of the Iranian Government, the representatives of all four states agreed that all actions relating to subjects on the agenda would be made with the knowledge of all the signatory countries.

Note
500C.111

Respectfully yours,

James S. Moose, jr.,
Chargé d' Affaires a.i.

File No. 710.
In triplicate.
Copy to Embassy, Ankara.
Copy to Legation, Baghdad.

JSM2/RJG.

D

DOCUMENT FILE

NOTE

SEE 767.90h 11/10 FOR #845

FROM Turkey (MacMurray) DATED Oct. 13, 1938
TO NAME

1—1127

REGARDING: Saadabad Pact.
Statement by Dr. Aras plaining her previous statement made before the Turkish Grand National Assembly that the -- was concluded with the consent and even the assistance of two great powers, --- the U.S.S.R. and the British Empire.

lec

767.90B 12 NON-AGGRESSION/90

M

DOCUMENT FILE

NOTE

SEE 890g.00 General Conditions/138 FOR #1164

FROM Iraq (Knabenshue) DATED Nov. 7,1938

TO NAME 1—1127

REGARDING: Saadabad Pact.
Comments by Sayid Taufik Suwaidi, Iraqi Foreign Minister, concerning the working of the --.

lec

767.90G12 NON-AGGRESSION/91

3. IRAQI FOREIGN MINISTER'S COMMENTS ON SAADABAD PACT

Sayid Taufik Suwaidi, the Iraqi Foreign Minister, told Reuter in London, in an interview, that the Sa'adabad Four-Power Pact between Iran, Turkey, Afghanistan and Iraq was working extremely well. It had led, he said, to a perfect understanding between the signatory countries. It had helped to regularise the situation in the Near East and had substantially served the interests of peace. Sayid Taufik welcomed the improvement in the position in Europe - where any improvement, he said, had an immediate repercussion in the Near Eastern countries.

--The Iraq Times, October 17, 1938

4. IRAQI AGRICULTURAL OFFICIALS FOR SAUDI ARABIA

At the request of the Saudi Arabian Government, the Iraqi Council of Ministers has decided to send three

engineers

DOCUMENT FILE

NOTE

SEE 765.75/464 FOR Tel. 25 3pm

~~FROM~~ Turkey (-) DATED April 12,1939

TO NAME

1—1127 GPO

REGARDING: Saadabad Pact.
Quotes telegram of April 11 from Teheran advising that the Foreign Ministers of the -- countries were to have met in Teheran in connection with the marriage celebrations.

lec

761.90G12 NON-AGGRESSION/92

REB

TELEGRAM RECEIVED

DIVISION OF EUROPEAN AFFAIRS
APR 18 1939
DEPARTMENT OF STATE

This telegram must be closely paraphrased before being communicated to anyone. (A)

FROM ANKARA

Dated April 15, 1939

Rec'd 2:40 p. m.

DEPARTMENT OF STATE
APR 17 1939
DIVISION OF NEAR EASTERN AFFAIRS

Secretary of State,

Washington,

40, April 15, 2 p. m.

765.75/464

Your telegram No. 25, April 12, 3 p. m.

The Turkish Foreign Office informs the Embassy that it is contemplated that the Turkish delegation now on its way to Teheran will discuss in general terms the possibility of ulterior modification of the Saadabad Pact to provide for mutual defense, but that it has no instructions to participate in any definite revision at the forthcoming meeting. This accords with statements made to us by the representatives of the other parties to the pact.

MACMURRAY

CSB

FILED
APR 20 1939

767.90G12 NON-AGGRESSION/93

N/C

767.90G12 Non-aggression

DOCUMENT FILE

NOTE

SEE 740.00/771 FOR Tel #7 5pm

FROM ////// ( ) DATED Apr.12, 1939

TO Iraq NAME

1—1127 GPO

REGARDING: Question of turning the Saadabad Pact into an instrument for mutual defense

Requests comment concerning-.

dg

767.90G12 NONAGGRESSION /94

CAVE
EO

TELEGRAM RECEIVED

DIVISION OF
EUROPEAN AFFAIRS
APR 25 1939
DEPARTMENT OF STATE

EDA

~~GRAY~~

FROM BAGHDAD

Dated April 24, 1939

Received 11:36 a.m.

Secretary of State

Washington

DEPARTMENT OF STATE
APR 25 1939
DIVISION OF NEAR EASTERN AFFAIRS

24, April 24, 4 p.m.

My 16, April 13, 3 p.m. 740.00/773

Foreign Office advises me that it has now been decided to hold a routine meeting of the Saadabad powers in Tehran and that Iraq will be represented by the Director General of Foreign Affairs Rashid Khoja who left this morning. Tehran informed.

KNABENSHUE

HTM:DDM

FILED
APR 25 1939

767.90G12 NON-AGGRESSION/95
N/C

TELEGRAM RECEIVED

MB

GRAY

TEHRAN

FROM

Dated April 30, 1939

Rec'd 2 p.m.

Secretary of State,

Washington.

46, April 30, 10 a.m.

My 32, April 11, 10 a.m., last paragraph.

Council of the Saadabad powers met yesterday and the day before. Communique published this morning states that representatives of the four nations "after scanning the horizon have examined the questions which interest them closely and have found that there exists perfect and complete agreement of views regarding all points." Next meeting is to be held at Kabul.

ENGERT

EMB

DIVISION OF EUROPEAN AFFAIRS MAY 2 1939 DEPARTMENT OF STATE

DEPARTMENT OF STATE MAY 1 1939 DIVISION OF NEAR EASTERN AFFAIRS

740.00/23

767.90G12 NON-AGGRESSION/96

N/C

FILED MAY 3 1939

TELEGRAM RECEIVED

DEPARTMENT OF STATE
MAY 4 1939
DIVISION OF
NEAR EASTERN AFFAIRS

HRE

This telegram must be closely paraphrased before being communicated to anyone (A)

FROM ANKARA

Dated May 3, 1939

Rec'd 9:30 p.m.

Secretary of State

Washington

DIVISION OF
EUROPEAN AFFAIRS
MAY 8 1939
DEPARTMENT OF STATE

67, May 3, 5 p.m.

My telegram No. 40, April 15, 2 p.m.

The Minister for Foreign Affairs advises me that the recent conference at Tehran led to no concrete results. He added that Turkey was satisfied that the friendship of the other members of the Saadabad pact would sufficiently protect her on that flank in case of war and had therefore felt no necessity for seeking to commit them to more active support.

Repeated to Bagdad, Tehran.

MACMURRAY

CFW

FILED
MAY 9 1939

767.90G12 NON-AGGRESSION/97
N/C

DOCUMENT FILE

NOTE

SEE 740.00/1336 FOR Tel. #49, 9 a.m.

FROM Iran (Engert) DATED May 4, 1939

TO NAME 1—1127 GPO

REGARDING: Meeting of the Saadabad powers; No important decisions made at- Turkey and Iraq more directly concerned but all four nations intended the pact to be a stabilizing factor in the middle east.

767.90G12 NON-AGGRESSION/98

98

AE

TELEGRAM RECEIVED

FROM

JR
This telegram must be closely paraphrased before being communicated to anyone. (br)

Baghdad

Dated October 27, 1939

Rec'd 10:10 a.m.

Secretary of State,

Washington.

67, October 27, 11 a.m.

Recent Italian and French broadcasts reported an early meeting of representatives of the ~~Saarbad~~ SAADABAD Pact. In reply to my inquiries the Iranian and Turkish Ministers informed me they had no official information on the subject and the Minister for Foreign Affairs said that Iraq had not been approached and had taken no initiative in the matter. Last night, however, the Turkish Minister informed me that the Iraqi Minister for Foreign Affairs had that day suggested the desirability of such a meeting and asked him to suggest it to his Government.

KNABENSHUE

DDM

767.90G12 NON-AGGRESSION/99

FILED
OCT 30 1939

LEGATION OF THE
UNITED STATES OF AMERICA

Baghdad, Iraq, November 1, 1939

No. 1425

Subject: Proposed Meeting of the Saadabad Powers.

DIVISION OF EUROPEAN AFFAIRS
DEC 11 1939
DEPARTMENT OF STATE

ADVISER ON POLITICAL RELATIONS
MR. DUNN
DEC 6 1939
DEPARTMENT OF STATE

DEPARTMENT OF STATE
Filed
DEC 1 1939
DIVISION OF
NEAR EASTERN AFFAIRS

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COMMUNICATIONS
AND RECORDS

The Honorable

The Secretary of State,

Washington, D. C.

DEPARTMENT OF STATE
A-M/C
DEC 7 - 1939
ASSISTANT SECRETARY
OF STATE

Sir:

I have the honor to report that the Italian broadcasts have recently been announcing the intention of the members of the Saadabad Pact to meet shortly to discuss the international situation and its relation to members of the pact.

On Saturday morning, October 21, the Iranian Minister paid me a visit and during the course of our conversation I referred to the Italian broadcasts and asked him whether he had heard anything officially or otherwise regarding the rumoured meeting of the signatories thereto. He said that he had no information about it and that he did not see why in the circumstances they should meet, inasmuch as their mutual relations were not affected by the international situation. In this, of course, he was wrong, for, in accordance with Article III of the

Saadabad Pact

767.90G12 NON-AGGRESSION/100
FILED
DEC 18 1939

Saadabad Pact "The High Contracting Parties agree to consult each other in all matters relating to conflicts of international character having regard to their common interests."

It is obvious that the Anglo-Iraqi Treaty of Alliance, the English-French-Turkish Agreement, and the rumours of at least Russian economic demands on Iran, might conceivably lead to developments which would affect the common interests of the members of the Saadabad Pact.

On the same afternoon, when I returned the visit of the Turkish Minister, he told me that he had no official information regarding the rumoured meeting, but he thought it entirely possible that the matter was being discussed at Ankara, and he personally believed it would be a good thing if such a meeting should take place.

On October 23 the Minister for Foreign Affairs said that the Iraqi Government had not been approached in the matter, but he said that he would not be surprised if such a meeting were to be arranged sometime in the near future.

On the evening of October 26 the Turkish Minister informed me that the Minister for Foreign Affairs had on that day suggested to him the desirability of a meeting of representatives of the members of the Saadabad Pact in order to discuss the present international situation, and asked that he refer the matter to his Government for consideration.

767.90g12 Non-aggression/99

I communicated the substance of this despatch to the Department in my telegram no. 67 of October 27, 11am.

Respectfully yours,

P. Knabenshue

800
PK/jve

December 28 1939

XXXXXXXX

STRICTLY CONFIDENTIAL

My dear Mr. Engert:

Our attention has been drawn to a United Press despatch bearing a Rome dateline of December 21, 1939 stating that according to the Italian press, the Afghan Government has orderedgeneral mobilization of all its armed forces and adopted other measures to provide strict military vigilance on the Afghan-Soviet Russian frontier. Il Messaggero contained the additional statement, according to the despatch, that the Afghan Government has decided, also, to initiate conversations with Iraq, Iran and Turkey for the purpose of keeping close contact on matters relating tothe Soviets.

Possibly the Italian Government has caused this article to be published for purposes best known to itself, and the item may or may not bear a close relation to the facts. Be that as it may, we should of course be greatly interested to learn of whatever you may hear regarding such conversations, and to receive your interpretation of them. If consultations among the governments signatory

to

Cornelius Van H. Engert, Esquire,
American Charge d'Affaires ad interim,
Tehran.

767.90G12 NON-AGGRESSION/100A

to the Saadabad Pact should occur or are occurring, conceivably they might indicate that the countries concerned are taking some heart from the military ineptitude recently displayed by Soviet Russia to Finland.

Sincerely yours,

Paul Alling

NE GPM/GC 12/27/39

Earl CR
DEC 28 1939 PM

DEC 22 1939

DEC 22 1939

New York Herald Tribune

Letter to Istanbul, Baghdad & Tehran 12/27/39 GPM/SC

DEPARTMENT OF STATE
DEC 27 1939
DIVISION OF
NEAR EASTERN AFFAIRS

December 28 1939

Afghan Mobilization Reported

ROME, Dec. 21 (UP).—The government of Afghanistan has ordered general mobilization of all armed forces and has adopted other measures to provide strict military vigilance along the Soviet-Afghan frontier, newspapers here reported today. "Il Messaggero" said it understood that the Kabul government also had decided to initiate conversations with Irak, Iran and Turkey for the purpose of keeping close contact with other countries bordering Asiatic Russia.

December 28 1939

STRICTLY CONFIDENTIAL

My dear Mr. Ambassador:

Our attention has been drawn to a United Press despatch bearing a Rome dateline of December 21, 1939 stating that according to the Italian press, the Afghan Government has ordered general mobilization of all its armed forces and adopted other measures to provide strict military vigilance on the Afghan-Soviet Russianfrontier. Il Messaggero contained the additional statement, according to the despatch, that the Afghan Government has decided, also, toinitiate conversations with Iraq, Iran and Turkey for the purpose of keeping close contact on matters relating to the Soviets.

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to

The Honorable
John Van A. MacMurray,
American Ambassador,
Istanbul.

767.90G12 NON-AGGRESSION/100B

to the Saadabad Pact should occur or are occurring, conceivably they might indicate that the countries concerned are taking some heart from the military ineptitude recently displayed by Soviet Russia in Finland.

Sincerely yours,

Paul Alling

NE GPM/GC 12/27/39

EU:
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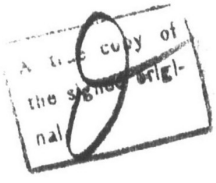
EAR CR
DEC 28 1939 PM

A true copy of the signed original



December 28 1939

STRICTLY CONFIDENTIAL

My dear Mr. Minister:

Our attention has been drawn to a United Press despatch bearing a Rome dateline of December 21, 1939 stating that according to the Italian press, the Afghan Government has ordered general mobilization of all its armed forces and adopted other measures to provide strict military vigilance on the Afghan-Soviet Russian frontier. Il Messaggero contained the additional statement, according to the despatch, that the Afghan Government has decided, also, to initiate conversations with Iraq, Iran and Turkey for the purpose of keeping close contact on matters relating to the Soviets.

Possibly the Italian Government has caused this article to be published for purposes best known to itself, and the item may or may not bear a close relation to the facts. Be that as it may, we should of course be greatly interested to learn of whatever you may hear regarding such conversations, and to receive your interpretation of them. If consultations among the governments signatory

to

The Honorable
Paul Knabenshue,
American Minister Resident
and Consul General,
Baghdad.

767.90G12 NON-AGGRESSION/1000

to the Saadabad Pact should occur or are occurring, conceivably they might indicate that the countries concerned are taking some heart from the military ineptitude recently displayed by Soviet Russia in Finland.

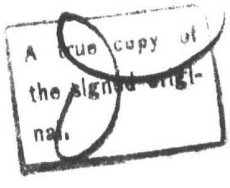
Sincerely yours,

Paul Alling

NE GPM/GC 12/27/39

EAR CR
DEC 28 1939 PM

A true copy of the signed original.



Central File: Decimal File 767.90G12, Political Relations Of States, Relations; Bi-Lateral Treaties., Political., Turkey And Iraq, Arbitration. Conciliation. Kellogg Anti-War Pact., July 31, 1937 - 12/27/39. July 31, 1937 - December 27, 1939. MS Turkey, Greece, and the Balkan States: Records of the U.S. Department of State, 1930-1944: Records of the Department of State Relating to Political Relations of Turkey, Greece, and the Balkan States, 1930-1939. National Archives (United States). Archives Unbound, link.gale.com%2Fapps%2Fdoc%2FSC5111394747%2FGDSC%3Fu%3Domni%26sid%3Dbookmark-GDSC. Accessed 21 June 2025.